

## No compromise is objective of Negro leaders' meeting

"No compromise with segregation or discrimination" is the objective of a conference of Negro leaders and workers from the southeast which opened in Birmingham today.

A meeting open to the public will be held at 7:30 p.m. today at the Union Beth-El Methodist Church, 13th-st and Sixth-av. n.

On Sunday night, Walter White, executive secretary of the National Association for the Advancement of Colored People, will speak at St. Paul's Methodist Church at 13th-st and Sixth-av. n.

Mrs. Ruby Hurley, Birmingham, regional secretary, said the conference will work on a program of educating the public "in accepting the change in the social order."

ON THE PROGRAM tonight will be Dr. W. M. Boyd, Atlanta, Ga., NAACP president, who will deliver the keynote address. He is professor of political science at Atlanta College.

Also on the program will be C. W. Greenleaf, Atlanta Daily World writer; Dr. R. L. Gilbert, Savannah, founder of the Georgia branch of the NAACP and conference vice president.

D. E. Bird, New Orleans, field secretary of the legal department of the NAACP, will be moderator of tonight's meeting.

BARBARA J. GARDNER, student at Talladega College, will take part in a panel discussion. She will speak on the reaction of youth to the question of discrimination.

The program of segregation and discrimination under discussion covers housing, transportation, education, voting and registration and recreation, Mrs. Hurley said.

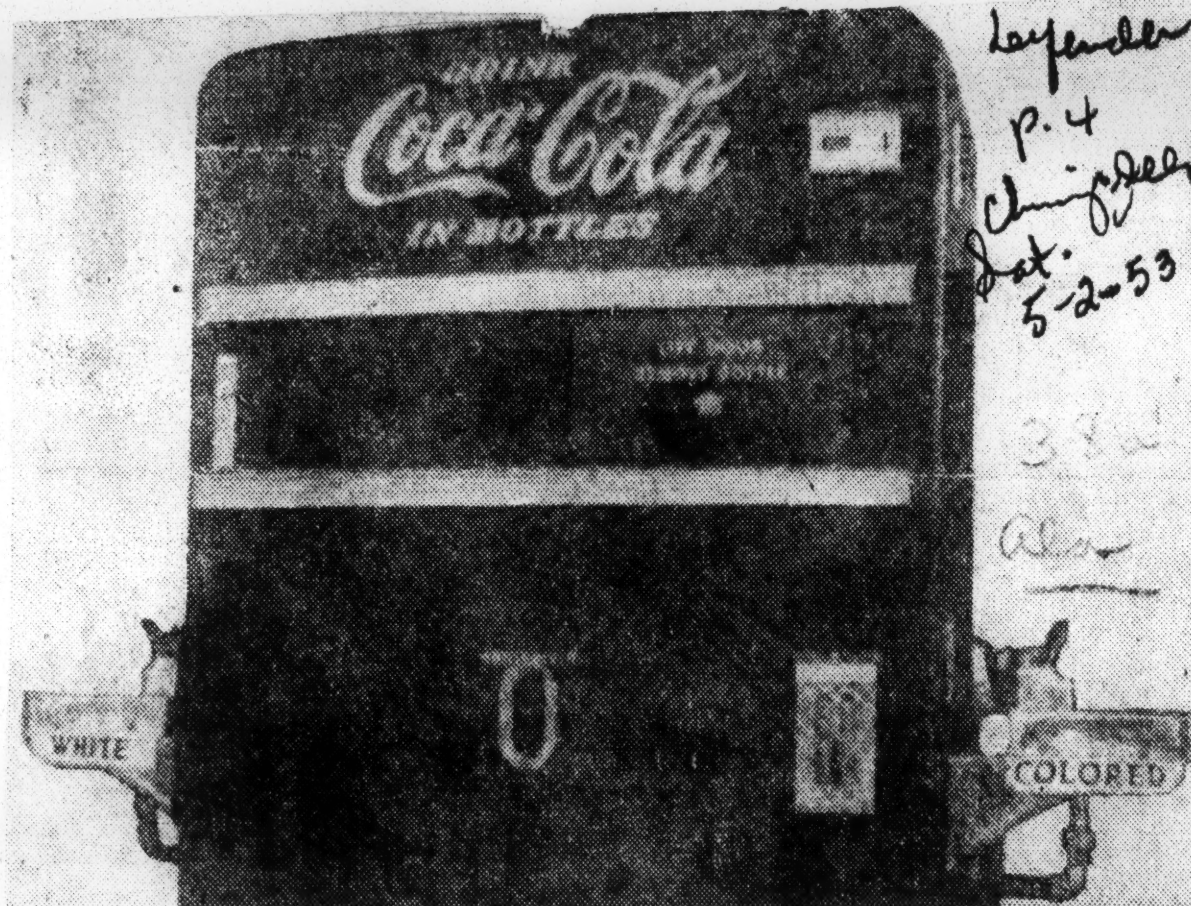
## New Law Halts Ambulances In Birmingham

BIRMINGHAM, Ala. — Only one Negro funeral home in Birmingham was providing emergency ambulance service here last week in the heels of enactment of a new city ordinance restricting such operations. Bradford Funeral home, which operates two vehicles, was still in operation last Wednesday.

The "explosion" was caused by

a new city law requiring that each ambulance in operation be covered by \$100,000 personal injury liability insurance, limited to \$50,000 per person. In addition each company must have \$5,000 property damage insurance on each ambulance.

A spokesman for Smith and Gaston, the city's largest Negro operating company, said that firm will make no attempt to meet the new requirements. He said the company had been operating at a \$400 per month deficit for some time.



WHEN YOU PAUSE in front of a Coca Cola constructed like this one, it is not necessarily refreshing to millions of Americans of either race. It causes wonderment from many angles of thought and in as many races of which America is made. To sane Americans, northerners or southerners

white or black, this display of color prejudice is ridiculous and the last vestige of white supremacy at home but will gladly accept any race, any color to help them out on the front lines of battle. The above dispensary was seen in Alabama.

MEET IN JEFF DAVIS HOTEL:

## Capital Of Confederacy Sees Precedent Broken

MONTGOMERY, Ala. (ANP)

—For the first time in the memory of local inhabitants of Montgomery, the capital of the Confederacy, colored citizens were admitted to one of the first class hostelmies of the city in a capacity other than employees last Saturday.

The special committee of trustees empowered to select a candidate for the presidency of Tuskegee for admittance to the entire board, held its final meeting in the Jefferson Davis hotel, perhaps the most exclusive establishment in Montgomery.

On the committee were Chairman Basil O'Connor, New

York, Archie A. Alexander, Des Moines; Daniel W. Andrews, Winston Salem; Claude A. Barnett, Chicago; William R. Renswald, New York, and three Alabama members, Sen. John H. Pinson, Henry Neill Segret and State Sup. W. J. Terry.

In addition to the three colored members, Alexander, Andrews and Barnett, of the committee, the prospective candidates who were the finalists in the screening were among those who used the facilities of the hotel.



# Called 'Nigger Lover'; Wins Dixie Election

MOBILE, Ala. — Joseph N. Langan, branded a "nigger lover" by followers of his chief opponent, Mayor Charles A. Baumhauer, was swept into office by an avalanche of votes last week.

Langan, the main target of the racist campaign, failed by only 26 votes of polling more ballots than his three opponents combined.

Langan, an attorney, former member of the Alabama Legislature and World War II and Korean War veteran, will take office Oct. 1 along with Henry R. Buscher, Mobile county's deputy tax collector, and Charles F. Hackmeyer, a county commissioner. They will serve four year terms.

The trio replaces Baumhauer (mayor by rotation), Ernest M. Megginson and Joseph R. Mitternacht.

Scurrilous leaflets and handbills were widely distributed in white sections of the city against Langan, and radio speakers charged him with being linked with the NAACP and the Non-Partisan Voters League.

Langan polled 7,607 to Baumhauer's 5,922, Gordon Hall's 28 and Clarence Barclay's 1,454.

## Judge States Plan On Race Segregation

MOBILE, Ala. — Judge Horace C. Wilkins, of Birmingham, one of Alabama's leading advocates of white supremacy, in a national citizens day speech here last Thursday put forward his plan to maintain racial segregation.

His plan is aimed at getting around any decision the United States Supreme Court should make outlawing racial segregation in public elementary and high schools in Southern states. Five cases involving the constitutionality of laws requiring segregated public schools are set for argument before the high court December 7.

### WHITE SUPREMACY

Speaking before the Mobile Real Estate Association, Judge Wilkins

son, who espoused the League for White Supremacy several years ago, proposed that the clause in the Federal Constitution authorizing states to enter into compacts be used to reconstruct legally the separate school system.

In Montgomery the same day State Senator Jimmy Faulkner of Bay Minette, speaking at a Junior Chamber of Commerce meeting, said the pending school segregation cases, from the Southern viewpoint, were hurt by the death of Chief Justice Fred M. Vinson.

### "RASH PLANS"

Faulkner called Mr. Vinson "a friend of the South" and warned against rash plans to get around a decision outlawing segregated public schools "since the high tribunal might make a ruling that would preclude the action we plan."

He estimated that it would take upwards of \$250,000,000 to bring the colored public schools of Alabama to a plane of equality with the white ones.

Judge Wilkinson, who served as special counsel for the City of Birmingham in an unsuccessful defense of racial zoning laws, called the justices of the Supreme Court "ministers of miscegnation."

Under his "compact plan," he proposed that the Southern states keep the dual school system by signing agreements with each other.

## Un-Americanism In Dixie

The Montgomery Advertiser recently carried a story on the passing of the Confederate flag fad and noted a considerable decline in the sale of rebel items.

The Advertiser said that during the fad, the flag was abused and misused by thoughtless children who decorated bicycle wheels and grownups who let the flags get blown to shreds on automobiles.

Members of the United Daughters of the Confederacy lodged a strong protest against this violation. Now to renew respect for the symbol of the war between the states, a bill was passed in the Alabama legislature making May 4, 1954 the first annual Confederacy Flag Day in the South.

Thus, the Advertiser comments, . . . "the generations of children who have never seen the flag, or who do not recognize it will have an opportunity to become acquainted with it. . . ."

Apparently, the Civil War has not ended yet in Alabama or the South. And the Daughters of the Confederacy have succeeded in legalizing the dissention with the symbol of rebellion.

All the hatred of the damned Yankees and the determination to perpetuate the slavery which held the black man in bondage will be handed down like a rare treasure from generation to generation.

It will be instilled in babies in the arms of their mothers and little children at play and in school and will further widen the cleavage between the races.

In another country such a thing could be called treason, particularly with another flag superseding the flag of the nation. But in this country, supposed to be the stronghold of democracy, the dangerous outdated sentiments of diehard rebels are not only allowed to perpetuate but are used to poison the minds of children.

We wonder what will become of the Stars and Stripes? Instead of swearing allegiance to Old Glory, the children of Alabama may be saluting the rebel flag and celebrating the day it flew in defiance of old Abe when he was inaugurated as president of the United States.

Where is Congressman Velde and the House Un-American Activities Committee and where is Senator McCarthy with his committee? They ought to be busy investigating subversiveness in Alabama instead of digging graves and issuing subpoenas to ex-presidents.



# Suit Hits Race Bias In Alaska

## Alaska Restaurant Refuses Service; Negroes Start Suit

ANCHORAGE, Alaska — (ANP) — A complaint was filed with the U. S. commissioner here last week by four Negro citizens against the Pagoda Inn for violation of Alaska's civil rights law.

Mr. and Mrs. Bert Barbero, Mrs. William McSmith and Miss Eura Dell Porter claim that when they entered the restaurant a waitress inquired if they had a reservation. When they replied in the negative, she picked up a "reserved" sign and placed it on the table, stating that all tables had been reserved in advance. When the quartet applied to the bartender, he stated that it was up to the waitress.

Determined to force the issue, the group remained seated at the table, and in the meantime other persons entered and were served without question. They were able to get service at the bar but the waitress was adamant in her refusal to serve them food, they said.

After sitting at the table for the better part of an hour, Mrs. McSmith went out to telephone her husband, and upon returning found the door of the place locked. She was admitted by a member of the group. When her husband arrived he also found the door locked and was unable to gain admittance.

After waiting for two hours, the group finally left. As they departed from the cafe, Mrs. McSmith asked the bartender to give his name, and he flippantly replied "That's for me to know and for you to find out."

The penalty for violation of the civil rights law is \$250 fine and/or 30 days in jail.

Mrs. McSmith is a real estate dealer and executive secretary of the Anchorage branch NAACP; Barbero, a parasitologist in the Anchorage health department; Miss Porter, a beauty products dealer and Mrs. Barbero, a nurse.

The case will be heard in U. S. District court later in the summer.

gether with the bartender and a waitress contended that the party had been told all the tables except three had been reserved by a large party which was expected later, and that if they would sit at the bar, they would be served as soon as an unreserved table became available.

## Alaska Restaurant Cleared Of Bias

ANCHORAGE, Alaska (ANP) — A jury sitting in commissioner's court here last Wednesday decided that the Pagoda restaurant was not guilty of discrimination as charged by four colored persons who had filed complaint.

The complainants charged that the restaurant refused to serve

them when they entered the place a few weeks prior to the trial. The group, Mrs. Blanche McSmith, Miss Eura Dell Porter, and Mr. and Mrs. Barbero complained that not only were they refused service, but that the employees were treatment and insolent in their manner toward them.

In defense, the manager to-



# BAR ASSOCIATION ACTS AGAINST INTEGRATION

## Votes To Seek Rescinding Of High Court Ruling

## BALLOT DEBATE HOT ONE

By KEN JOHNSON

Staff Writer

HOT SPRINGS, Ark., May 15.—

The Arkansas Bar Association Friday asked the state Supreme Court to reverse a recent ruling it handed down which calls for compulsory membership in the association by all lawyers in the state.

The association elected J. L. 'Bex' Shaver of Wynne as president to succeed Arthur F. Triplett of Pine Bluff. Mr. Shaver was nominated by C. E. Daggett of Marianna.

The association's action in requesting the Supreme Court to reverse its ruling on a "compulsory" or integrated bar, came in adoption of a resolution voted on late Friday afternoon.

### Presents Resolution

Shields Goodwin, Little Rock attorney, presented the resolution which stated that Arkansas attorneys see no necessity for being "forced" to belong to the association. Vote for the measure was 195 to 165 votes against.

The approximate 400 attorneys and visitors in the crowded Convention Hall lost their legal dignity and milled about for some 30 minutes in voting on the issue, with retiring President Triplett fighting to keep order and get other business under way.

The Supreme Court on April 27 ruled that all the approximate 2,300 attorneys in Arkansas—about 1,100 of which are actively engaged in the practice of law—must belong to the state Bar Association or else run the penalty of being disbarred.

Protesters of "closed shops" and "compulsion" from attorneys throughout the state followed the ruling. The Crittenden Bar Association has asked for a re-hearing already.

### Strong Protest

But the association's action was the strongest protest which lawyers could have lodged against the high court's ruling. Proponents of integration argued that 26 other

states in the nation already have a Bar Association in which all attorneys must belong. And they insisted that an integrated bar would create more participation in the association's activities.

Joe Barrett of Jonesboro and William Arnold of Batesville spoke against Mr. Goodwin's resolution. Mr. Goodwin himself and N. J. Gantt Jr., of Pine Bluff, spoke in favor of the resolution, which asks for the Supreme Court to reverse its ruling for an integrated bar.

The convention had two resolutions to consider—Mr. Goodwin's and another prepared by Kenneth Cofelt, Little Rock attorney, which asked that the court poll lawyers again on the question of compulsory membership.

### Mr. Cofelt Withdraws

Mr. Cofelt, however, withdrew his after opponents of integration won their battle in adoption of the Goodwin resolution.

"The keystone of an integrated bar is compulsion and supervision. We're opposed to that," said Mr. Goodwin.

What the effect of the association's action on the Supreme Court will be remains to be seen. The court has authority to regulate the state's legal profession in any way it sees fit. Court members were present when the vote was taken on the question here.

In other action, the association formally changed its name from the Bar Association of Arkansas to the Arkansas Bar Association, "since everybody calls it the latter anyway." Members also voted to up fees from \$5 to \$10 a year for attorneys who have belonged to the association for more than five years.

### Colonel Storey Speaks

Col. Robert G. Storey, president of the American Bar Association, was featured speaker at Friday morning's session, with Judge Will O. Walton of Lafayette, Ala., speaker at the Friday night banquet.

Colonel Storey, who is dean of the Law School at Southern Methodist University at Dallas, urged attorneys to become more conscious of performing a public service.

"Our job is still, above all, public service," he said.



# Oakland Bars Segregation

## Separate Firemen Had Been 'Policy'

OAKLAND, Calif. — A policy of non-segregation in all departments of city government was approved last week in a resolution adopted unanimously by the Oakland City Council.

The action by the council follows by three months a Civil Service Board appeal hearing in which two fire department captains revealed it is "policy" of the department to segregate white and colored firemen in different fire houses.

The Civil Service Board by a vote of 2 to 1 upheld the action of City Manager John F. Hassler in giving a 10-day suspension of Hoseman Ernest A. Allen for making a "false report" against an officer.

Allen had charged that Personnel Chief Thomas Harris had refused him a transfer from an "all-colored" house because he is colored.

In his dissenting opinion, Civil Service Board Chairman J. Clayton Orr stated that the fire department "should take notice that discrimination in hiring of municipal employees because of color is forbidden by laws of our city and our state."

As a direct result of this policy of non-segregation, NAACP attorney Clinton White will argue before the city Council later this week in efforts to have colored firemen integrated into the fire department.

Should the City Council sustain the policy of segregation which the NAACP argues is unlawful, they will take it to the courts.

## FRISCO WOMEN'S CLUB REJECTS NEGRO APPLICANT

San Frisco-(ANP) A white club woman recently resigned from a business and professional women's club in protest against the organization's refusal to admit a Negro woman as member.

Miss Alice Kavanagh, former president of the San Francisco Business and Professional Women's Club, resigned because the white members would not approve for membership Mrs. Frances Glover, managing editor, Sun-Reporter, a weekly newspaper published here. Besides Miss Kavanagh, Dr. Margaret Leonard was sponsoring Mrs. Glover for membership. Some 50 of the club's 200 members recently discussed the question of admitting Negroes, but ended in tabling a motion barring colored persons. The discussion, however, convinced Miss Kavanagh the club would maintain an unwritten policy of barring non-Caucasians. This is the second time a Negro woman has attempted unsuccessfully to become a member of the club.

The first was turned down by the membership committee without consideration by the club as a whole.

The latest rejectee is active in civic and religious circles here. She is religious education director and member of the board of the Church for the Fellowship of All Peoples, active in the National Council of Negro Women, past Secretary of the 620 Sutter Street IWCA and past president of the Bay Area Service League. She is the wife of Dr. Donald

Glover, industrial secretary of the local Urban League.

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# The New Denver

By T. S. WILLIAMS

DENVER, Colo. — The Ku Klux Klan raised its ugly head in Denver during the early '20s and during its short reign, our citizens all but despaired of ever establishing better relationship between the races.

Leagues of women of the other group went about the city requesting that all Negroes, Jews and Catholic labor be replaced by so called 100 percent Americans. As a result, thousands were thrown out of employment and milled about public playgrounds and parks where Communists quietly spread their propaganda.

Our city and state were torn asunder by this damnable organization and Dr. Locke, its leader, died suddenly while visiting a close friend in the state house, there was rejoicing throughout the area. The defeat of the Klan immediately followed in the fall election. Still there was little hope for rejoicing because the depression followed closely on its heels.

These were difficult times. Aid to the needy was being dispersed on the basis of past political activities, and in 1934 and 1935 many men with large families were refused work on Public Government projects and also direct relief because they "had not voted right."

Tension was, at its height when World War II broke. No progress had been made in racial understanding and we were relegated to the top floors of all theatres, forbidden service in restaurants, and generally given the lowest types of employment in city and state government, and even these jobs were controlled by Ward Healer who had your voting record.

Colorado can boast of an Equal Rights law having been on the books for more than 50 years, but this law has been completely ignored. In a few cases, damages of a few paltry dollars had been awarded as consolation for discrimination, but the cost of obtaining such sums was far greater than the amount awarded.

Then, out of the East, came a statement accredited to Dean Pickens to the effect that minorities must, for the time being, forget about their fight for civil rights and concentrate on winning the

war. This, in my mind, brought out the fighting spirit in our people. The NAACP, club women, church groups, fraternal organizations, and outstanding groups such as the Cosmopolitan club, sororities and college fraternities joined in an out and out fight to end this hypocrisy on the part of our law enforcement groups as well as our state and city government.

When on a given date it was decided to crash theatres with mixed groups and demand equal accommodations, the police were on the scene before hand and immediately arrested and carted off to jail several members of the other group who were members of prom. Clinic are all new and modern, and the Ding How cafe, owned by group members and leased, does credit to any community. We own by conservative estimate, two million dollars worth of property within a radius of eight blocks on Welton st.

Our night life is conservative, and under the law, is closed tight at 2 a.m. We, as a group have no slum area, in the ordinary sense of that term.

I believe that we can contribute our progress to one main fact, that our destiny in the hands of any is, we positively refuse to place one person who can say that he represents the members of our race. Our difficulties are adjusted by an organized movement of representatives of all of our leading organizations and we repudiate any man who attempts to capitalize by terming himself a representative of our group. In this way, we have never been sold out.

We have a state FEPC law which was passed under the sponsorship of Earl Mann, now serving his 4th term in the state legislature which makes him the senior representative of this District. There has been but little publicity given to this law as we find that so many matters that might come up for adjustment by the commission, are ironed out at round table discussions.

We believe that we have the most liberal city in the United States. We believe that we have less discrimination than any other city. We believe that we have less friction and better understanding between races than can be found from East to West, from North to the Gulf. I repeat, we have come a long way.

Our slogan "TIS A PRIVILEGE TO LIVE IN COLORADO" is well said and we invite you to spend the summer with us as our guests so that you, too, can say, when the end shall have come, it was a privilege to have lived in Colorado.

inent families, some of them being members of law firms.

This was the breaking point, and though all those arrested were immediately released, the fight was really on. The issue was brought before the district attorney who was asked to rule on it, and an order was immediately issued to theatres, restaurants, hotels and all public places, that discrimination must cease.

Then began an improvement in racial relations. We cannot say that we have fully accomplished our aim, but we have come a long way. There are but few public places that will attempt to deprive us of our rights though many, by their attitude, comply reluctantly.

The Urban League has been one of the greatest factors in securing equal opportunities in industry, having successfully dispelled the idea that races will not work side by side without friction. Stenographers can be found with the Public Service company of Colorado, switchboard operators with the Mt. States Telephone and Telegraph company, bus operators, with the Denver Tramway Co.

Our doctors now have access to all the facilities of our hospitals with attendant nurses. Our public teaching staff, playground supervisor and janitor service. Many churches invite mixed memberships. One of our largest department stores has a cashier in the credit department, other large stores are breaking their hard-fast rule by employing clerks. We are happy to say that these clerks are not restricted as to their work; they are clerks in the truest sense.

Since the outlawing of restric-

tive covenants, hundreds of our progressive citizens have purchased beautiful homes and others are building homes to their own liking at costs exceeding \$30,000. We have yet to experience any open friction in this line.

Our greatest enemy is the Real Estate Exchange. This organization still propagates the idea that ownership of property by group members causes property depreciation. In spite of all this, we own property in every section of the city. Government housing projects have been forced to discontinue their policy of segregation.

The business section of the group is mainly on Welton st. just seven blocks from the heart of the downtown shopping center. We own 98 percent of the buildings in which we do business. These are not ill kept worn out places, but many have been built and are of modern design.

The Petal Shop, Ex-service Men's hotel, Dr. Clarence Holmes Dental



# The Good Work of CORE

NOT enough credit has been given to the Congress of Racial Equality and its affiliates for the good work done in various parts of the country to eradicate the pernicious practice of racial discrimination in public places and conveyances. Recently CORE initiated a successful campaign in Pittsburgh to open the Diamond Roller Rink to Negroes, and it is now driving against bias in the theatres of St. Louis.

CORE, as it is called, does not send out press releases very often nor does it waste time name-calling or holding monster mass meetings—but it gets results, which are what count. This campaign has been going on for years and has got results in dozens of places throughout the country.

It depends upon non-violent non-cooperation, in the Gandhian manner, carried on by a small group of determined and dedicated persons of various colors and backgrounds. It takes courage for these people to go into places where they are not wanted and embarrass management until given consideration; and if there were more active CORE organizations the results would be even greater than they have been.

We think such an organization deserves praise and cooperation.

There was the case in Baltimore where Negroes were refused service at the lunch counter in a Kresge store near Morgan College, and where the store manager maintained that the color bar had to continue for "business reasons."

CORE members and Morgan students "tested" the store last spring and were refused service, whereupon the organization contacted company headquarters in Detroit, which brought results.

Today Negroes are not only being served in that store, but in the Kresge and Woolworth stores downtown, and their sitdown waits will soon get results in Grant's, what with from twelve to thirty demonstrators of both "races" entering, taking seats and demanding service.

The Chicago and Evanston, Ill., CORE were instrumental in causing Marshall Field's department store to abandon its discriminatory practice and begin hiring Negroes.

Cincinnati's Coney Island does not admit Negroes, so CORE got busy and distributed illustrated leaflets in fifty stores showing a prominent Negro minister being refused admittance; newspapers, radio and television stations were telephoned urging them to cease advertising the resort; an honor roll was initiated listing churches and organizations refusing to sponsor any outings at the park, and then the NAACP cooperated by initiating legal cases against the places.

This illustrates the CORE methods which in a surprising number of cases have been successful in the past.





**FREEDOM CONFERENCE**—A five-ton bogus armored car in which eight Czechs crashed through the Iron Curtain, and now in this country as a symbol of resistance to Kremlin tyranny, formed the background for a Crusade for Freedom Conference in Washington, D. C., attended by nearly 500 leaders of industry, labor, civic, fraternal, religious, youth and professional organizations. Conferees were briefed in the Pentagon by high Government officials on conditions behind the Iron Curtain and were also told what Radio Free Europe was accomplishing

by broadcasting truth and hope of liberty to 70,000,000 captives of communism in Poland, Czechoslovakia, Hungary, Romania, Bulgaria and Albania. Henry Ford II, chairman of the Crusade for Freedom shown with Mrs. Leo J. Schaeffer, American Medical Association Auxiliary, Mrs. Naomah Maise, executive director, National Council of Negro Women; Mrs. Oscar A. Ahlgren, president of the General Federation of Women's Clubs; Dr. Dorothy Ferebee, president National Council of Negro Women and Mrs. Irving Geiger, National Council of Jewish Women.



# IN THE NATION'S CAPITOL

BY LOUIS LAUTIER

With the designation by President Eisenhower of Governor Earl Warren of California as the new Chief Justice of the United States, the voting records of the eight associate justices in civil rights cases become more important if a guess is to be made on how they will vote on the pending five school segregation cases.

The school segregation cases, which are set for reargument December 7, present one of the most momentous questions to reach the court since the pre-Civil War Dred Scott case, in which it was held that a colored person had no rights which a white man was bound to respect.

With the designation of Governor Warren the Court is now comprised of seven Democrats and two Republicans. The other Republican is Justice Harold H. Burton, one of three Truman-appointed justices now sitting on the court.

Justice Burton has voted with both the liberal and conservative wings of the court—the liberal wing being represented by Justices Hugo L. Black, Felix Frankfurter, William O. Douglas and Robert H. Jackson.

But there was no liberal-conservative split in the court in the case of Elmer W. Henderson, who successfully challenged racial discrimination and segregation on railroad dining cars.

The case was decided by a 8-to-0 vote. Justice Burton delivered the opinion of the court. Justice Douglas concurred in the result. Justices Tom C. Clark took no part in the consideration or decision of the case.

Henderson an employee of the President's Fair Employment Practice Committee was traveling May 17, 1942 on the Southern Railway from Washington to Atlanta, en route to Birmingham in the course of his duties.

The train left Washington at 2 p. m. At about 5:30 p. m. while the train was in Virginia, the first call to dinner was announced and Henderson immediately went into the diner.

Under the rules of the Southern Railway, in effect, the two tables near the kitchen were reserved for colored passengers until all other seats in the car were taken. Then

if not colored passengers were in the diner, the curtains which segregated the two tables were pulled back and white passengers served at those tables.

When Henderson reached the diner, the tables reserved for colored passengers were partly occupied by white passengers, but at least one seat was empty. The dining car steward refused to seat him in the diner, but offered to serve him, without additional charge, at his Pullman seat. Henderson declined the offer and the steward agreed to send him word when he could be served.

No word was sent and Henderson was not served, although he twice returned to the diner before it was detached at 9 p. m.

Upon Henderson's complaint the Interstate Commerce Commission found that he had been subjected to undue and unreasonable prejudice and disadvantage, caused by bad judgment of an employee, but declined to issue an order as to future practices.

A three-judge Federal District Court for Maryland, however, held that the Southern's general practice, as shown by its rules, violated the Interstate Commerce Act and remanded the cause for further proceedings.

The Southern on March 1, 1943 changed its rules to provide for the reservation of ten tables of four seats each exclusively for white passengers and one table of four seats exclusively for colored passengers. Between this table and the others a curtain was to be drawn during each meal.

On remand, the ICC found that the new rules did not violate the Interstate Commerce Act. The three-judge Federal District Court, however, by a 2-to-1 decision, sustained the new rules on the ground that the accommodations were adequate to serve the average number of colored passengers and were "proportionately fair."

The case was appealed directly to the Supreme Court. Philip Perlman, who was then the Solicitor General of the United States, refused to support the position of the ICC. He filed a brief for the United States and he and J. Howard McGrath, who was then the Attorney General of the United States, participated in the oral argument contending that the Southern's

rules and the Commission's order were invalid.

The Supreme Court held that the Southern's rules and practices caused passengers to be subjected to undue or unreasonable prejudice or disadvantage in violation of the Interstate Commerce Act.

Speaking for the court, Justice Burton said:

"Where a dining car is available to passengers holding tickets entitling them to use it, each passenger is equally entitled to its facilities in accordance with reasonable regulations. The denial of such service to any such passenger by the rules before us subjects him to a prohibited disadvantage. Under the rules, only four Negro passengers may be served at one time and then only at the table reserved for Negroes. Other Negroes who present themselves are compelled to wait a vacancy at that table, although there may be many vacancies elsewhere in the dining car."

"The railroad thus refuses to extend to those passengers the use of its existing and unoccupied facilities. The rules impose a like deprivation upon white passengers whenever more than forty of them seek to be served at the same time and the table reserved for Negroes is vacant."

"We need not multiply instances in which these rules sanction unreasonable discrimination. The curtains, partitions and signs emphasize the artificiality of a difference in treatment which serves only to call attention to a racial classification of passengers holding identical tickets and using the same public dining facility."

Justice Burton also wrote the dissenting opinion in a California case which arose under an 1871 Act which was popularly known as the Ku Klux Act and which has long been dormant.

A group of white citizens planned a public meeting for November 14, 1947, on the subject "The Communist Form and the Marshall Plan," which it was intended to adopt a resolution opposing the Marshall Plan to be sent to appropriate federal officials.

Another group of white citizens wearing American Legion caps broke up the meeting.

The petitioners sought to bring a damage suit within the Ku Klux Act by charging a conspiracy to deprive them of the right to petition the Federal Government for redress of grievances.

The Federal District Judge held that the statute did not and could not constitutionally afford redress for invasion of civil rights at the hands of individuals, but could only be applied to injuries of civil rights by person acting under color of state law.

The Ninth United States Circuit Court of Appeals, with one judge dissenting, reversed the District Court's dismissal of the complaint. In a 6-to-3 decision, the Supreme Court reversed the Court Appeals. Justices Black and Douglas, the two outstanding liberals on the court, concurred in the dissenting opinion of Justice Burton, who said the Ku Klux Act was not limited to state officials.

"Still more obviously, where the section speaks of persons 'going in disguise on the highway—for the purpose of depriving—any person or class of persons of the equal protection of the laws,' it certainly does not limit its references to actions of that kind by state officials," he said.

## The issue at stake

The fact that Washington restaurants are open to all citizens has encouraged the Interracial Workshop to begin a new campaign against motion picture theatres.

The campaign takes the form of letters and telephone calls to managers and sending mixed groups to the theatres to hold a time while colored people ask for tickets of admission.

The co-ordinating committee which sponsored the legal tests of segregation in restaurants is giving full support to the campaign against theatres.

If theatre managers refuse, they will give in without a struggle.

It will not make a great deal of difference in the theatre habits of Washingtonians.

Most people who have been attending their neighborhood theatres will continue to do so.

What's at stake is not that colored people want to attend hitherto all-white theatres, but they see no reason why any public place, hotel or restaurant, should be closed to them because their skins are not white.



# 20 Organizations Ask End To Washington Segregation

WASHINGTON D. C.—(NNPA)—Twenty organizations last Saturday asked the Commissioner of the District of Columbia to abolish racial discrimination by hotels, theaters and other licensed places of public amusement here.

They also asked the commissioners to issue a regulation prohibiting racial discrimination in all licensed places of public amusement in the District of Columbia.

## COURT HELD VALID

Attached to the letter to the commissioners, signed by the representatives of the twenty organizations, was a brief prepared by the American Veterans Committee maintaining that existing law in the District of Columbia prohibits racial discrimination by places of public accommodation and that the three-member Board of Commissioners has the power to issue the requested regulation.

The brief argues that the illegality of racial discrimination by places of public accommodation was settled by the decision of the Supreme Court in the Thompson Restaurant case. In that case, the Supreme Court held valid and enforceable an 1873 Act of the short-lived District of Columbia Legislative Assembly, which made it a misdemeanor for any restaurant to refuse service to any respectable and well-behaved person.

## ORDINANCE PASSED

The letter to the commissioners point out that hotels and theaters were not directly involved in the Thompson case, but asserts that the Supreme Court's opinion "settled the major issues concerning the nondiscrimination requirements" of an 1872 Act of the Legislative Assembly and an 1870 ordinance passed by the former Corporation of Washington.

Analyzing the 1870 ordinance and the 1872 Act, the AVC contends that—

1. The 1872 Act is in force and prohibits racial discrimination by hotels and other specified places of public accommodation in the District of Columbia under penalty of \$100 fine and forfeiture of license for one year.

In the Thompson case, the Supreme Court held that the 1872 Act survived changes in the Dis-

trict of Columbia government and is presently enforceable unless it was repealed by the 1873 Act, a question on which the court said it would express no opinion but left it for decision by the United States Court of Appeals on remand of the case.

## BARBER SHOPS

(The major difference between the 1872 Act and the 1873 Act is that the 1872 Act applied to hotels, barber shops and bath houses as well as restaurants, while the 1873 Act applied only to restaurants.)

2. The Ordinance of 1869, as amended by the Ordinance of 1870, is now in force and prohibits, under penalty of a minimum fine of \$50, racial discrimination by theaters and other places of public amusement in Washington.

The letter to the commissioners was signed by Ruth Harris, secretary of the Washington chapter of AVC. It was sent on behalf of the following organizations:

American Civil Liberties Union, Inc., by Irving Ferman; American Council on Human Rights, Elmer Henderson, executive director; American Jewish Congress, Commission on Law and Social Act, by S. Walter Shine; AVC, Curtis Campaigne, national chairman, and Robert Greenburg, chairman, Washington chapter.

Americans for Democratic Action, Washington chapter, Ben Segal, president; Anti-Defamation League of B'Nai B'rith, District of Columbia-Maryland Regional office Philip E. Lerman, director; Catholic Interracial Council of Washington, D. C., by Dr. John J. O'Connor, president; Congregational Christian Churches, Social Action Committee, John Burton, chairman.

Congress of Industrial Organizations, Arthur J. Goldberg, general counsel; Consolidated Parents Group, Gardner Bishop, president; District of Columbia Federation of Civic Associations, Dr. C. Herbert Marshall, president; Friends Committee on National Legislation, E. Raymond Wilson, executive secretary; Japanese American Citizens League, Washington chapter, George Furukawa, president;

Jewish Community Council of Greater Washington, Isaac Franck, executive director; National Asso-

ciation for the Advancement of Colored People, District of Columbia Branch, Eugene Davidson, president; National Congress of American Indians, Ruth M. Bronson, acting secretary; Washington Ethical Society, Milton Chase, president; Washington Federation of Churches, Commission on Community Life, Margaret A. Haywood, and Washington Fellowship, Dr. E. B. Henderson, president.

## D. C. Abolishes Discrimination

WASHINGTON, Oct. 26—

(INS)—Labor Secretary Mitchell announced today that the District of Columbia government has agreed to outlaw racial discrimination in work on 30-million dollars of annual contracts.

Mitchell held a news conference at which Samuel S. Spencer, president of the District Board of Commissioners, explained plans for ending racial discrimination in district government affairs.

# Color Bar Ends As D. C. Theatres See the Light



—Photos by Cabell

LOEW'S COLUMBIA, ONTARIO, CAPITOL, PALACE

... D. C. movie house opens doors

WASHINGTON—The insulting barriers of racial discrimination was quietly dropped last week at downtown moving picture theatres and interracial lines of patrons are now forming at the ticket windows without friction or



trouble. *Come*  
So effectively was the move made by the theatre public relations experts that the full impact of the change in policy was not realized by Washington Negroes until the week-end.

*10-10-53*  
**A SPOKESMAN** for the Loew's Theatre chain announced that the Capitol, Columbia and Palace Theatres had been admitting Negroes for several months and will continue to admit "all well-behaved persons."

*10-10-53*  
The announcement came in answer to a request for a clarification of the theatre's policy made by William Nixon of Oldest Inhabitants, Inc., and Mrs. Mary Church Terrell, representing the Coordinating Committee for the Enforcement of the District's Anti-Discrimination Laws.

A few weeks ago Mr. Nixon and Mrs. Terrell and some of their friends had gone to the Capitol Theatre in celebration of Mrs. Terrell's ninetieth birthday and had been courteously admitted. However, a few days later other Negro theatregoers reportedly has been refused admittance.

\* \* \*  
**THE CHANGE** of policy is one more significant step toward the complete elimination of discrimination and segregation in the nation's capital, a goal sought by men and women of good-will throughout the nation.

More than eight years ago the Courier turned a national spotlight on the need for an all-out fight against discrimination in the world's greatest capital when the Committee for Racial Democracy in the District of Columbia was formed.

*10-10-53*  
Since then District hotels have opened their doors to Negro travelers, most of the public playgrounds and swimming pools are operating on a basis of integration. Federally-operated low-rent public housing projects have a new policy under which they accept eligible families on a basis of need and not race and all eating places serve everyone.

*Come*  
**THE NEW** policy at the theatres is believed to be the result of a number of factors.

First, the legitimate theatres have been successfully operating an open policy successfully as have several of the smaller more intimate downtown movie houses.

Second, it is the considered

opinion of most lawyers that any case taken into court would result in a favorable decision since in view of the Supreme Court's ruling upholding

the old anti-discriminational laws in the Thompson Restaurant case.

In addition the old separate but equal theory no longer applies since the movie industry has introduced the new cinemascope movies, which unlike other movies will not be shown in Negro theatres, which do not have adequate equipment.

The November opening of Cinerama at the Warner Theatres in the District will probably mean the lifting of racial bans at that theatre as well.



# District Asks High Court To Save Old Anti-Bias Laws

WASHINGTON, D. C. — (NNPA) — The District of Columbia last Friday asked the United States Supreme Court to reverse the decision of the United States Court of Appeals here that Washington restaurants may refuse to serve colored people, and send the case back to the District of Columbia Municipal Court for trial on its merits.

In its brief, filed in the Supreme Court last Friday, the District of Columbia argued that the Court of Appeals committed five errors:

1. In holding that the charges of violating the Equal Service Act of 1872 and 1873 brought against the B. B. Simpson Company, Inc., operator of a chain of restaurants, could not be validly prosecuted.

2. IN HOLDING that Congress did not have constitutional authority to delegate to the short-lived District of Columbia Assembly, power to enact the two acts.

3. In holding that Congress in the Organic Act of 1871 did not effectively and constitutionally delegate to the Legislative Assembly authority to enact the 1872 and 1873 Acts.

4. In holding that the acts of the Legislative Assembly are unenforceable because they were either repealed or "abandoned."

5. In holding that the two Acts of the Legislative Assembly were invalid when enacted.

THE BRIEF points out that the common councils of the City of Washington from 1802 to 1871 were elected by the citizens of the city, and that the members of the House of Delegates, the more numerous branch of the Legislative As-

sembly, were elected by the citizens of the District of Columbia.

"When it is considered that on three separate occasions elected representatives of the people enacted ordinances prohibiting discriminatory treatment of Negroes by licensed establishments catering to the public," the brief asserts, "there can be no question that in 1870, 1872, and 1873 the majority of the people of the District of Columbia wanted to end such discrimination."

THE BRIEF points out that these anti-discrimination enactments were transmitted to Congress in accordance with law and "Congress not only did not repeal them but by Section 91 of the Revised Statutes of the District of Columbia kept them in force, as modified by the Legislative Assembly."

A bill to repeal the 1872 and 1873 Acts, introduced in the House of Representatives Sept. 12, 1951, failed of passage.

The 1872 and 1873 Acts, the brief states, was to give colored people their full rights as citizens. "They are municipal in character, local in application," the brief asserts. "They were validly enacted. They have never been repealed."

The brief is signed by Vernon E. West, Corporation Counsel; Chester H. Gray, Principal Assistant Corporation Counsel; and Edward A. Beard, Assistant Corporation Counsel.

**Rep. Powell Protests  
Free Bar Library Space**

Rep. Adam Clayton Powell, jr. (D-N. Y.), has protested the practice of giving the District Bar Association rent-free space for its library at the United States Court House.

The Congressman wrote the White House that the District Bar Association refuses to admit Negroes to membership and

yet is permitted use of a Government building.

"May I, through you, call upon the Attorney General to insist that the Bar Association practices or be evicted from Federal property?" Powell wrote.

He told reporters that it was a "civil rights matter," and that all organizations practicing racial discrimination should be forbidden favored treatment by the Government.

Courthouse authorities who declined to be named said that the Bar library is housed rent-free as a convenience to the court. All lawyers, whether or not members of the association, can use the library upon payment of a maintenance fee, reporters were told.

Powell also wrote the White House that a bill introduced by him in Congress is designed to remedy the situation where "the lily-white Bar Association has the power of life and death over all Negro lawyers."

## Supplement Pleadings In High Court

**Justice Department  
Takes Another Step  
In Restaurant Case**

WASHINGTON, D.C. (NNPA) — Representative Jacob K. Javits, Republican, of New York, last Thursday sent Samuel Spencer, one of three Commissioners of the District of Columbia, a tickler to jog his memory regarding racial segregation here.

In a letter to Mr. Spencer, Mr. Javits reminded the commissioner that the 1952 Republican platform pledged "appropriate action to end segregation in the District of Columbia."

"Washington, as our national capital, is the showplace of the nation and what we do here is interpreted throughout the world as indicative of our national attitude and policy," Mr. Javits wrote, adding:

"THE COMMUNISTS have long been telling the colored peoples of the world that we only make a pretense of democracy and in reality discriminate against them—the District of Columbia has been an important exhibit in this propaganda war."

"This propaganda theme has been especially used in Korea and areas of South and Southeast Asia in which the Soviet and its satellites are the aggressors."

"I would very much appreciate your advising me what plans are in progress for the realization of the party's platform pledge and what we, in the Congress, might do in cooperation with you for the fulfillment of such plans."

Mr. Javits added that he awaited Mr. Spencer's reply "with great interest."

## Introduces Bill To Repeal D. C. Restaurant Law

WASHINGTON — (NNPA) — Representative W. M. (Don) Wheeler, Democrat, of Georgia, last Thursday introduced a bill to repeal the 1872 and 1873 Acts District of Columbia Legislative Assembly, which make it a misdemeanor for any restaurant in the District of Columbia to refuse to serve any respectable well-behaved colored

person.

The United States Supreme Court on June 3, 1953, held the 1873 Act valid and it was put into effect two days later without incident.

## Supreme Court Bans Jim Crow Swimming Pools

WASHINGTON—At the opening of its term, the United States Supreme Court refused to review an appeal from decision of the Circuit Court of Appeals upholding a U. S. District Court ruling which enjoined authorities in Kansas City, Mo., from excluding Negroes from the Swope Park swimming pool. The Supreme Court action, in effect, upholds the lower court's ban against racial segregation in the city's swimming pools.

ALL MEMBERS 10-18-53  
The case was instituted in 1950 by Mrs. Esther Williams, Mrs. Lena R. Smith and Joseph Moore, all members of the Kansas City branch of the National Association for the Advancement of Colored People following refusal of park officials to admit them to the pool in Swope Park.

Arguing the case for the plaintiffs were NAACP lawyers Carl Johnson of Kansas City and Thurgood Marshall and Robert L. Carter of New York. The city contended that it maintained equal swimming facilities for Negro bathers at another park. This plea was rejected by both the District Court and the Circuit Court of Appeals. The city closed the pool pending action by the Supreme Court.



# Justice Department Files 2nd Brief In DC Bias Case

WASHINGTON, D. C. — (NNPA) — The Justice Department last Friday filed a supplemental memorandum, "out of an abundance of precaution," to dispel any doubt that the "lost laws" of 1872 and 1873 were really lost.

During oral argument of the case, which arose out of the refusal of the John R. Thompson Company to serve three colored persons in one of its chain restaurants, the acts were referred to as "the lost laws" as lawyers argued and justices of the Supreme Court asked questions about their validity.

## SUPPLEMENTAL BRIEFS

In its supplemental memorandum the Justice Department said it wished to dispel any possible doubts that may have arisen during the oral argument as to the general availability of the 1872 and 1873 Acts to the public and lawyers.

The memorandum pointed out that the engrossed originals of the acts are in the possession of the District of Columbia Commissioners in a bound volume kept in the official headquarters of the District of Columbia Government in the District Building.

The two acts were published for general use in 1872 and 1877 under authority of Edwin L. Stanton, who was the secretary of the District of Columbia and whose official duty it was to record and preserve all laws or proceedings of the Legislature Assembly.

The Justice Department added that "that there is no basis whatsoever for any inference that laws were 'lost,' or that it was necessary to pry into musty archives or other obscure places not accessible to the bar and the general public in order to ascertain and verify their existence and continuing validity."

The memorandum was signed by Attorney General Herbert Brownell, Robert L. Stern, Acting Solicitor General, and Philip Elman, a special assistant to the Attorney General, who participated in the oral argument of the case.

The District of Columbia, in its reply brief, declares that the argument in behalf of the Thompson Company that ordinances prohibiting racial discrimination are "general legislation" beyond the power of Congress to enact is without merit.

## Spencer Order:

## Prosecution To Start in 'Day or So'

Washington eating places must conform "immediately" to an 1873 antidiscrimination law that says all well-behaved persons must be served, Commissioner Samuel Spencer declared yesterday.

Spencer, chairman of the District Board of Commissioners, said all establishments affected by the "lost law," upheld by the Supreme Court, would be given "a day or so" to conform.

He said that prosecution of violators would begin after that time, and that all persons complaining by have been refused service in violation of the law will be referred to the Corporation Counsel's office at Municipal Court.

Spencer said the brief intervening period before enforcement was begun would give the restaurant operators time to become acquainted with the law.

He said the law covered not only restaurants, but also drug stores, ice cream parlors, bars and similar establishments.

He termed "very important" a provision of the law which requires that schedules of prices be prominently displayed in restaurants and other eating or drinking establishments. He said inspections are to be made for compliance with the provision.

But another provision requiring price lists to be filed with the District may be "obsolete," he said.

Assistant Corporation Counsel Clark F. King, chief prosecutor for the city at Municipal Court, said he anticipated no prosecutions. He said that the attitude of restaurant operators, pending the Supreme Court's decision, had been—

"If the Court rules we're wrong, we'll be only too glad

to comply."

The Commissioners discussed the Supreme Court decision in a special meeting from 5 to 5:30 p. m. yesterday. Commissioner Spencer told reporters afterwards that the provision of the law requiring price lists to be filed with the District is under study.

Still another provision—one which provides for forfeiture of a restaurant's license for a year upon conviction of refusing to serve Negroes—may have been superceded by later licensing acts, Spencer said. This too is under study.

Here is the "lost law" of 1873—never enforced so far as is known since its passage by the Legislative Assembly of the District:

Sections 1 and 2 provide for the posting of price lists by restaurants and other eating or drinking establishments and for the filing of these schedules with the Register of the District.

Section 3 provides in part: "That the proprietor . . . or keeper . . . of any licensed restaurant, eating-house, bar room, sample room, ice cream saloon, or soda fountain room shall sellenforce the laws, Gray said, at and for the usual or common prices charged by him (as listed on the schedule) any article or thing kept for sale . . . to any well-behaved and respectable person or persons who may desire the same . . . and serve the same to such person or persons in the same room or rooms in which any other well-behaved person or persons may be served. . ."

Section 4 provides for a fine of \$100 and the forfeiture of the license and a prohibition against its reissuance for one year after the forfeiture.

The law requires that prices be posted in two conspicuous places in the main room and in a conspicuous place in any small room.

The Supreme Court yesterday remanded to the United States Court of Appeals for decision the question whether a similar law passed in 1872 and applicable to hotels, barbershops, and bathing houses is still enforceable or whether it was re-

pealed.

The 1872 law, so far as can be determined, was the basis for four prosecutions in that year, and none since.

The term "lost laws," adopted by the press, was pointed up by a remark made early in May by Chief Justice Fred M. Vinson, as the Supreme Court took the Thompson Restaurant seg-

regation case under advisement. He said the laws involved were really never lost since they were locked up in a District Building safe.

Chester H. Gray, principal assistant Corporation Counsel and the man who finally hauled the ragged law tome out of the safe, declared yesterday that "those laws never were lost at all."

"The copy we had was in very dilapidated condition," he said. "So we put it away carefully to preserve it." He pointed out that the laws also were available at law libraries—including the library of the Supreme Court.

The lawbook stayed in his safe. "I never had any occasion to consult those laws," he said.

Then there came a time in 1947, he said, when the late Charles Houston, an attorney here, "came in one day and wanted to consult those laws. I had the key, so I got the book out and he read it."

Houston's research led the National Lawyers Guild to urge the District Commissioners to also, "the National Committee on Segregation in the Nation's Capital," in 1948, called public attention to the existence of the laws.

After that, civic organizations took stands on the issue. The Commissioners asked the Corporation Counsel if the laws were still in effect. The Corporation Counsel, after careful study, said they were.

Lengthy litigation followed. It ended yesterday with the Supreme Court's decision that the 1873 law is valid, and that the 1872 law must be studied by the Court of Appeals to determine whether it was repealed by the 1873 law.

# HESITANT HIGH COURT CALLS FALL HEARINGS IN SEGREGATION CASE

But Justices Rule 8 To 0 That  
Capital's Restaurants  
Must Serve Negroes

BIGGER ISSUE IS DELAYED

October Arguments Scheduled

—Top Bench Also Clears  
Government Of Liability In  
Texas City Blast

WASHINGTON, June 9.—An ap-

prehensive and undecided Supreme Court Monday postponed until at least next fall its anxiously awaited decision on the cases testing the legality of racial segregation in public schools.

The Tribunal, in an unusual action, scheduled new hearings for Oct. 12 and asked the opposing attorneys to answer fundamental questions still puzzling the justices. The high court had been expected to hand down its ruling Monday or June 15.

## 'Lost' Law Upheld

The court did decide one case involving segregation: It ruled 8 to 0 that restaurants in the nation's capital must serve Negroes under a 30-year-old "lost" law. This case had no connection with the public school segregation suits.

The justices also voted 4 to 3 to absolve the Federal Government from any liability for the 1947 Texas City, Texas, explosion and fire that killed 56 persons. More than 300 lawsuits are pending demanding damages of 200 million dollars for deaths, injuries and property damage.

In posing its questions to contending attorneys in the segregation case the court clearly showed it is deeply disturbed by the momentous issues involved.

Attorneys for the National Association for the Advancement of Colored People told the justices last December that Negro segregation in schools was a "badge of shame" on Negro students.

## Fear For Public Schools

Attorneys for Delaware, Virginia, South Carolina, Kansas and the District of Columbia said abolishing segregation might "destroy"

public school systems in many of the states. The court has been asked to rule whether the 14th Constitutional Amendment—which guarantees all citizens "the equal protection of the laws"—makes segregation in public schools unlawful. The high bench "invited" Atty. Gen. Herbert Brownell Jr. to take part in the October arguments. The court's decision on segregation in the restaurants of the na-

The court, which will adjourn for the summer next Monday, put off its last decision day action on the perjury conviction of Harry Bridges, West Coast dock leader.

The court ruled the Texas City fire, ignited by dockside explosions, did not constitute the kind of claim Congress intended to be covered under the Federal Tort Claims Act—the law under which the victims



## Courier Editorials

# New Look in Washington

**FOLLOWING** closely upon the heels of the opening of restaurants in Washington, D. C., to Negro patronage, the theatres of the capital city have followed suit, and colored citizens are being admitted like all others.

Thus, step by step, the Federal District is pulling abreast of civilization and should soon be in the class with other great world capitals.

It would be sheer demagoguery to assert that this dramatic change since Inaugural Day is a confirmation of the pledge of President Eisenhower to end Jim Crow in Washington.

Actually, these dramatic changes are the result of a long campaign waged by this newspaper, local civic groups and the National Association for the Advancement of Colored People, and reflects a growing appreciation of the necessity to civilize the nation's capital for the sake of America's reputation.

Then, too, these changes are symptomatic of a general shift of opinion on the so-called race problem throughout the country which is the culmination of decades of agitation and education.

It indicates the existence of an atmosphere of opinion which should make it easier for the courts and law enforcement agencies to carry out both the letter and the spirit of the Constitution in the interest of colored citizens.

Both these revolutionary changes in Washington, D. C., have been effectuated without contention of strife although encrusted prejudices were supposed to militate against any break in the Jim Crow system.

We hope the U. S. Supreme Court will consider this change of opinion in handing down its pending decision about racially segregated schools.

If segregated schools can be eliminated in the District of Columbia and its citizens enfranchised for home rule, then all of us can at least be proud of our national capital.

## D. C. Moves To Wipe Out Racial Bars In Contracts

### City Heads Ask GAO Approval Of Policy Banning Job Discrimination

By Sam Zagoria  
Post Reporter

The District Board of Commissioners, subject to the approval of the General Accounting Office, is planning to require all persons seeking contracts with the city government to agree not to discriminate in employment. The Washington Post learned last night.

The city heads are rushing the project in hope that the GAO approval may be obtained in time to announce the step at Monday's meeting of the President's Committee on Government Contracts here. Vice President Richard M. Nixon is chairman of the committee.

The Board of Commissioners has been urged by the Nixon committee to bring the District in line with Federal agencies, which require Government contractors not to discriminate against any employee or applicant for employment because of race, creed, color, or national origin and obligating the contractor to include a similar provision in all subcontracts.

The urging took place at a September 24 Mayflower Hotel closed door meeting of a special D. C. subcommittee of the Nixon

unit. The subcommittee consists of chairman John Roosevelt, youngest son of the late President Franklin D. Roosevelt and an Eisenhower campaigner, and Mrs. Ogden Mills Reid, chairman of the board of the New York Herald-Tribune.

#### Other Conferees

Present in addition were Vice President Nixon; Samuel Spencer, chairman of the Board of Commissioners; Maxwell M. Rabb, White House aide on minority problems; Robert C. Albright, clerk of the Senate District Committee; Chester H. Gray, Principal Assistant Corporation Counsel; Lee Dante, Assistant Corporation Counsel on Contracts, and Jacob Seidenberg, executive director of the Committee on Government Contracts.

As a result of the high-level luncheon meeting, the Commissioners have asked the general counsel of the GAO, Edwin L. Fisher, for an informal opinion on whether the city may require agreement to the non-discrimination clause as a condition for submitting a bid on a city contract or for signing one. Failure to live up to the commitment could mean breaking of the contract and possible black-listing for future city business, it was indicated.

Some municipal contracts, partly financed by Federal aid funds, already contain such a clause and according to D. C. advisors there is no legislative bar to inclusion of such a clause. The question before Fisher and the Comptroller General is whether the city under its general powers may insist on it. GAO enters into the picture because it must audit all city contracts.

#### Order Issued in August

Last August the President issued an executive order reaffirming that all Federal contracts should contain the non-discrimination clause and creating the Nixon Committee to check on how agencies are enforcing it. The order did not apply to the District, although a previous Presidential commis-

sion had recommended that the city set up a similar policy.

At the Mayflower Hotel meeting, one of the municipal officials recommended that the city contract-holders be asked to agree voluntarily to non-discrimination, rather than make it a condition for contract execution. Vice President Nixon, backed by Roosevelt and Mrs. Reid, said this would not do the job and urged Commissioner Spencer to find some way of making it compulsory.

Since then, city legal aides have discussed the matter with the Justice Department and been told the Commissioners have the power to make it mandatory. The GAO approval is the only remaining hurdle.

During the informal hotel session, Roosevelt asked for a rundown on the city's discrimination situation for his own background. Spencer indicated that after the contract matter is out of the way, the Commissioners plan to adopt formally a policy stating that there shall be no discrimination in hiring or promoting of city workers because of race or color.

Several present suggested that this be followed up by establishment of a mechanism to implement the policy so it is not "just a meaningless gesture." Spencer agreed to look into this.

#### Tells of Racial Gains

Spencer described community steps taken toward integration of recreational, public health and welfare and public housing units, as well as public theaters and restaurants. He also pointed out the problems of the long-proposed integration of the Fire Department and indicated there was little immediate prospect of accomplishing it.

The hiring practices of two local utility firms — Capital Transit Co. and the Chesapeake & Potomac Telephone Co. — were discussed informally.

The suggested appointment of a human relations committee, similar to that in Chicago, to help city officials remove racial trouble spots was opposed by Spencer. He argued that the responsibility belonged to the city heads and not a citizens' buffer group. However, Vice President Nixon urged Spencer to consider the matter further. Nixon who is on a foreign

tour, will not be present at Monday's meeting, but vice chairman J. Ernest Wilkins, Chicago Negro attorney, will preside at the morning meeting in the Labor Department. Reports will be made by six subcommittees including the D. C. unit headed by Roosevelt. The organization meeting of the 15-member full committee was held September 14.



# Theaters Deal Segregation In Washington Another Blow

By ROBERT L. RIGGS, The Courier-Journal Washington Bureau

WASHINGTON.—A social revolution has taken place in Washington so quietly that it took the local newspapers three months to find out it was happening. Without any bugle blowing, without any picket lines, without any race riots, segregation in the movie theaters of the District of Columbia has almost been wiped out.

Ever since last spring, the three main downtown first-run movie houses have been admitting Negroes. The theater owners have helped along the social revolution at the Capitol, the Columbia and the Palace by restraining their showmen's natural instinct for publicity.

They haven't even admitted officially that there has been a change in the long-time Washington ban against Negroes. They merely have said that "all well-behaved persons" are welcome in their theaters.

Two of the neighborhood chains have followed suit only recently, and showmen predict that the remaining chains will join the parade so that within a brief period no theater in the District will distinguish between white and Negro patrons.

Which means that Washington has come a long way on the antisegregation road since the war. It took some struggling to drive the opening wedge which has led to all this change. The conflict came at the National Theater which, at war's close, was the only house in town giving stage plays.

Organizations interested in ending segregation were unable to persuade the men-owners of the National to admit Negroes. As a result, the theater was picketed every time a play came to town. But the management stayed firm, insisting that it wouldn't change its all-white policy unless the movie theaters did.

The national union of actors, called Equity, joined the fray, arguing that inasmuch as the law did not require theater segregation in the capital, the National should end it voluntarily. Its argument failing, Equity announced it would not play at the National.

## Stage Plays Ceased

As a result, the National turned to movies, and for an extended period there were no stage plays in Washington. Then burlesque died at the Gayety, that theater was made over into a road-company house called the New Gayety, with no segregation, and the drama came back to Washington.

It came back so successfully to the New Gayety that new owners took over the National, restored stage plays there and likewise did away with segregation. Hence, Washington now has two legitimate theaters, the New Gayety having been renamed the Schubert, and both of them admit Negroes and whites with no distinction.

Leading the way in the movie field were half a



THE SUN'S BEGINNING TO BREAK THROUGH IN WASHINGTON

dozen small, "arty" theaters, most of which show foreign films. Now that the bigger movie houses and the neighborhood chains have fallen in line, about all the segregation left here is in the public schools. And the local school board is making its plans on the assumption that the Supreme Court will put an end to that. The prospect of such court decision and the recent court ruling forbidding Washington's restaurants to refuse to serve Negroes apparently spurred the movie theaters in their unpublicized social revolution. At any rate, it happened.





**WELCOMED AT THOMPSON'S** — Four days after the U. S. Supreme Court ruling opened Washington restaurants to all, regardless of color, Dr. Mary Church Terrell (right), one of the original complainants and crusader in the civil rights fight, returned to the restaurant and was welcomed. With her at a table in Thompson's in downtown Washington are Miss Lois Taylor, AFRO reporter, and the Rev. Graham G. Lacey, pastor, Central Presbyterian Church, Washington, who stopped to congratulate Dr. Terrell and joined the party for lunch.

# Welcome Signs Out After Ruling

*Afr American P.1*  
Capital Eateries, Bars Find Service To All Profitable

By AL SWEENEY

WASHINGTON

The AFRO's headline "EAT ANYWHERE" summed up the local restaurant situation accurately, this week.

In smaller type, it should have

revealed that there was evidence that the cafe owners are willingly abiding by the Supreme Court's rule.

In one of the "lushest" (that's right, chum's) assignments that this reporter has had during his five years of doing typographic nipups for this sheet, yours truly had the burping privilege to be in on the survey!

Oh, my aching head!

## Downtown Bistros

Thanks to a bulging expense account this writer sampled the hospitality of the downtown bistros along Pennsylvania Ave.

Varying the taste test from beer, and good Kentucky bourbon, with a ham on rye thrown in, your reporter found the tavern owners eagerly accepting the long green.

At the Palace Restaurant, located at 935 Pennsylvania ave. nw, where the "test" began, this reporter and a colleague approached the spot with anxiety.

been added "Drink Anywhere, Also."

Thanks to a decision by the "nine wise men" of the nation's highest Court, restaurants in the downtown area were serving all "well behaved and respectable" persons Wednesday without distinction as to "race or color."

*A Lush Assignment*  
A survey by AFRO reporters

## Smiling Bartender

After taking a "deep breath" and walking boldly through the door with an air of nonchalance, we took a seat at the bar.

Inexperienced at this type of assignment, yours truly asked a smiling bartender for a bottle of National Bohemian.

I forgot that I was spending the paper's dough and acted like I was stealing from myself.

## Advertising Dept. Note

My colleague, who is more used to blowing other person's loot, with considerable savior faire requested a scotch and soda.

The bartender called my colleague's attention to the fact that ABC regulations prohibited the sale of hard liquor at the bar.

"That's right," my friend said, "I'll take a National Boh." (The advertising department should love that!)

## Missed His Mark

Peering about somewhat cautiously, I saw a woman in a green dress peering around a pillar to see the strange sight of two colored persons in a former lily-white restaurant.

One man in a brown seersucker suit missed his mark as he attempted to sip a drink as he gaped at us.

About three other men seated at the bar paid little attention to us and were more interested at smacking their lips at the brew they were quaffing.

## A Few Curious Looks

Our departure drew a few curious looks and we went a few doors down the block to a king-sized soda fountain known as the "Tenn-Penn."

In this place, previously off-limits to persons of color, although it has a mixed staff of waitresses, a young colored bus boy seemed especially happy to see colored persons sit at the fountain.

My colleague ordered a turkey sandwich, while I asked for a "coke." Our requests were readily complied with.

## The Pink Elephant

The spot was about half-filled and nobody paid any attention to us. It was as if we had been going there for years.

Two blocks down the street to Eleventh and E streets at the Pink Elephant cocktail room in the Hotel Harrington, we made our third stop.

The room is fairly well appointed with illuminated hunting pictures in a blue and pink motif. Cocktail napkins with

clever sayings were on the tables.

## The Bubble Winked

They contain such witticisms as:

"The bubble winked at me and said, 'You'll miss me, when I'm dead!'"

"Who loves not women, not song...remains a fool his whole life long;"

"Here's to alcohol which often makes me see double and feel single!"

A cute waitress greeted us and asked for our order. We decided that she was of Italian extraction.

## Everything Was Groovey

The order was scotch and soda. After all, I was getting hep to this expensive account deal.

Music by Muzak came floating through the loudspeaker. "Let Me Love You Tonight" was the number being played. It was appropos, because everything was groovey.

We decided the downtown owners were abiding by the high Court's ruling, so we wondered about the white cafes in the up-town area around 14th and Irving streets, where there is a large colored population.

## Proprietor Very Gracious

At the Red Coach Tavern, where the old tune "Mexicali Rose" was playing on the juke box, the proprietor was very gracious.

Recalling the advertising department, I ordered a Gunther's beer and my colleague did likewise. The proprietor passed the time of day with us and remarked how hot the day was.

It was 98 degrees outside, but his place was air conditioned.

## 'Come Back Again'

When we left minutes later, he said: "Come back again."

To make sure that our spot check was not incomplete we doubled back to the downtown area. Hours later after many more elbow bending "tests" we arrived at the conclusion that democracy had arrived.

My only regret is that I only had "one head to ache for the assignment." Oh yes, I have to add 10 pounds of ice, which was needed for my ice pack.

## Little Fuss Made

Indications from cafe owners, themselves, are that Washington is accepting with little fuss the end of racial segregation in eating and drinking places throughout the city.

The manager of a large downtown restaurant remarked:

"It's (compliance with the Supreme Court's ruling) just a must as far as I can see . . . I don't know if it will have any effect on our business. Some people may object, but I imagine in the long run it will be like some of the theatres. They were unsegregated and nobody seemed to mind."

The manager of a downtown drugstore which has a soda fountain said:

"It's the law of the land and of course that settles it. I don't actually think people will protest much. I think they'll go along with it."

## Association Bows

Tuesday night, after a regular meeting of the Washington Restaurant Association's board of directors, which represents 1,000 restaurant owners, the following statement was issued:

"The Supreme Court has ruled that segregation in the restaurants in the District of Columbia is a violation of existing law. The Washington Restaurant Association has advised its members to comply with that decision."

## Some Never Segregated

It was estimated that there are about 2,000 restaurants—large and small—in the District. About 150 of these are colored restaurants in colored areas. Of the others, 70 to 75 have over the years unsegregated themselves.

Eugene Davidson, president of the D.C. NAACP, said, in part:

"Many people who read about this thing have visions of men in overalls coming in and sitting beside them. But they'll soon see that we have people of culture and education and decency, just as the white man has. And once they see that, the battle is won."



# Dr. D. B. Ferebee Talks On Decision Of Supreme Court

"The decision of the Supreme Court of the United States in the Thompson Restaurant Case is a big step toward the achievement of democracy in Washington," said Dr. Dorothy B. Ferebee, president of the NATIONAL COUNCIL OF NEGRO WOMEN.

"From the very beginning of our Council history, our leaders from every area of our country have been embarrassed when serving as hosts to women from all parts of the world."

"As an affiliate of the National Council of Women of the United States and of the International Council of Women of the World we have found it difficult to explain the fact that in the nation's capital, it was not possible for us to join them at the restaurant of their choice."

"AS THE Capital of the democratic world, Washington can now look forward to welcoming guests from foreign shores, secure in the knowledge that they and we will be free from the embarrassment that has come from its segregated policies."

The removal of this one blot from our national capital gives us courage and hope that somehow in our lifetime we shall see segregation entirely wiped out and all men fully free to live up to the noble heritage which is ours in a democracy."

Beyond all other considerations the NATIONAL COUNCIL OF NEGRO WOMEN is

interested in the home rule aspects of the decision. The Council firmly believes that real democracy grows out of self government.

One of the impediments to home rule in the District of Columbia has been the fear of extending civil rights to Negroes. As that fear is removed by decision like this one, the real objectives of home rule become more readily obtainable in the interest of service to all the people, both locally and nationally.

"WHILE WE deplore the conditions which made this decision necessary," said Dr. Ferebee, "we rejoice that the Supreme Court has one again demopstrat-

ed that under our democratic system, protest will receive a hearing and justice will prevail."

THE NATIONAL COUNCIL OF NEGRO WOMEN pays tribute to Mrs. Marh Church Terrell and to the many citizens groups of all races for their relentless efforts "to secure these rights."

## WHY THE RICE?

THE ALMOST world wide custom of throwing rice at newly-married couples is believed to be a survival of the ancient religious practices of the Hindus and Chinese. In the Orient, rice is the emblem of fecundity and fertility, and throwing it at a newly-wedded pair symbolizes the wish that they may be blessed with offspring.

# MANY CHURCH TERRELL TO TURN HER VENGEANCE ON WASHINGTON THEATRES AND MOVIE HOUSES

Sat. 7-4-53

Tells Windy City Organization How She  
Battled For Civil Rights in Nation's Capital

## GIVES CREDIT TO MASS ACTION BEHIND HER

CHICAGO. — (ANP) — Mrs. Mary Church Terrell, almost 90 years old and still active, the lady who broke the back of jim crow restaurants in the nation's capital, spent a busy three days in Chicago last week.

While here she revealed in a press conference that her next target in her battle to end all racial segregation in Washington, D. C. will be the theaters, both movie and legitimate.

Mrs. Terrell was the featured speaker and top honoree at a luncheon in the Crystal Room of the Hotel Sherman downtown sponsored by the Chicago Council of Negro Organizations, Henry W. McGee, president.

The Council honored Mrs. Terrell for her fight to end D. C. restaurant jim crow and also Mrs. Irene McCoy Gaines of Chicago, national president of the National Association of Colored Women, for her 18 years as a civic and women's leader.

At the luncheon Mrs. Terrell dramatically told the story of her three-year fight on eating bias. She also told of this fight at her press conference.

In talking to newsmen, Mrs. Terrell commented on her coming fight against theatre jimcrow as follows:

"I'm sick and tired of not being able to see a movie or a stage production in most theaters in Washington because I am a Negro. Of course we cannot go in to the fight right at once, but we are going to work it out."

Speaking of her restaurant battle, Mrs. Terrell said Negroes themselves won this fight and advised Negroes everywhere to fight for their rights and not wait for others to take the lead. She said:

"I don't want more credit than I deserve, Mrs. Terrell. The little I've done has been done cheerfully because I wanted to do it and I wanted it to succeed. Colored

people, not President Eisenhower, won the battle against segregation in restaurants.

"Colored people in the future must do more to help themselves by protecting and working to end discrimination wherever they find it. We sit too still too often to get the rights that are rightfully ours."

Mrs. Terrell said that she is thankful that she has seen two great victories—the one in which she forced the end of racial bias in various chapters of the American Association of University Women and the restaurant case. She predicted the end of segregation in Washington schools. When she spoke of why she fights for civil rights, she told reporters:

"I always think a great deal about our children coming up with the badge of inferiority. That hurts me. I fight for them."

# Theatres In D. C. Quietly End Race Ban

Liberal Policy May  
Soon Spread To  
Remaining Movies

WASHINGTON, D. C.

Downtown motion picture theaters here are quietly dropping their long-standing color bars, and neighborhood theaters apparently will not be far behind.

Two theater chains reaching into the neighborhood areas issued orders last Wednesday ending all bans on the admission of colored moviegoers.

THE DECISION followed the disclosure earlier that three Loew's houses — the Capitol, Columbia and Palace — have been operating on a nondiscrimination basis since last Spring.

The eighteen theaters of the Warner Brothers chain, including the downtown Warner, and the eight K-B neighborhood theaters, officially decreed like policies.

The K-B group said its MacArthur Theater had been operating without restrictions for some time.

ONE NEIGHBORHOOD chain said it will admit "all well-behaved persons" in its city theaters, beginning last Wednesday, regardless of race or color.

A test of the policy of refusing admission to colored Americans, made two weeks ago by the Coordinating Committee for the Enforcement of the District of Columbia's Anti-Discrimination Laws, brought the changes to light.

A SPOKESMAN for the three Loew's houses said the policy is to admit all well-behaved

OWNERS OF TWO other neighborhood chains said they will "look into it" in view of what the other theaters are doing. He said Loew's dropped its discrimination "quietly" some time last Spring. A spokesman for the Ontario Theater and the K-B neighborhood houses said his theaters will be open to anyone who is well-behaved now, too.



# COURT BANS RACE BARS IN CAPITAL

## Delays Ruling on School Segregation

By DOUGLAS B. CORNELL  
WASHINGTON, June 8 (AP)—The Supreme Court today opened restaurants and bars in the national capital to Negroes. But it put off—at least until fall—a decision whether separate public schools for Negroes and Whites are unconstitutional in America.

The court ruled 8-0 that an 80-year-old District of Columbia law forbidding racial discrimination by cafes, bars and ice cream parlors is valid and still in effect.

The decision was in a case arising from refusal of a restaurant operated by the Thompson chain to serve a number of Negroes in 1950.

To Hear More Arguments  
But in the momentous school segregation case — actually five cases combined — the court said it wanted to hear more arguments starting Oct. 12, one week after its fall term begins. It already had heard three days of arguments last December.

The big issue holds tremendous social significance for the North and the entire country. It involves (1) the 14th Amendment to the Constitution which says all citizens must be treated equally; and (2) an 1896 Supreme Court ruling that segregation is constitutional if equal facilities are provided for both Negroes and Whites.

Some Negro parents and their attorneys have taken the position that segregation in schools violates the 14th Amendment in any circumstances, regardless of whether equal facilities are provided. They have asked the Supreme Court to toss out the "separate but equal doctrine" laid down in 1896.

To Affect Score of States  
Specifically before the high tribunal are cases from South Carolina, Delaware, Kansas, Virginia and the District of Columbia. When it comes, a decision also will affect 14 other states which make segregation mandatory in public schools and three others, besides Kansas, which allow it.

In other decisions today the high tribunal ruled that:

1. Under the Federal Tort Claims Act the government doesn't have to pay some 200 million dollars in damage claims arising from a series of explosions that killed more than 500 people and injured 3,000 at Texas City, Tex., in 1947. In a 4-3 decision delivered by Justice Reed, the court said that in a situation like this the Federal Tort Claim Act doesn't apply. This act makes the United States responsible for "a negligent or wrongful act or omission" of any U. S. employee on official duty.

2. FBI reports need not be handed over to conscientious objectors seeking exemption from military service under the draft law. Chief Justice Vinson read the 5-3 decision, applying specifically to Harry Gray Nugent and Lester Packer of New York who were sentenced to prison for refusing to submit to induction.

Must Pay for Red Cap Loss  
3. A woman is entitled to collect for a suitcase containing clothing and jewelry lost by a red cap employe of a railroad while she was changing trains. The 8-0 ruling calls for the New York, New Haven and Hartford Railroad to pay \$615 to Mrs. George Nothnagle of Meriden, Conn.

4. The Ralston Purina Company, St. Louis, manufacturers and distributors of feed and cereals, must register with the Securities and Exchange Commission a private offering of its own stock made to a limited number of its own employes. Justice Clark delivered the 6-2 decision.

5. The communications commission should reconsider its decision granting MacKay Radio and Television Company the right to operate radio-telegraph service to The Netherlands and Portugal in competition with RCA Communications, Inc. The 5-2 decision was delivered by Justice Frankfurter.

In ordering the school segregation cases put back on the docket for more argument in October, the Supreme Court asked opposing lawyers to concentrate on five questions it raised.

These questions hinge chiefly around the 14th Amendment which says no state may abridge the privileges and immunities of

citizens, nor deny equal protection of the laws to any person. The amendment was adopted after the civil war primarily for the benefit of the newly enfranchised Negroes.

School Segregation Questions  
The high tribunal wants to know, first, what evidence there is that Congress and the states, in approving the 14th Amendment, did or did not intend "that it would abolish segregation in public schools."

If it wasn't the intention to abolish segregation immediately, the court asked, then was it the understanding that Congress or the courts might abolish it later on by law or interpretation of the law?

It asked, too, whether the court has the power, in interpreting the 14th Amendment, to end segregation.

The justices further showed their concern over the possible effect of ending segregation by inquiring whether a ruling of that sort would require a decree putting it into effect immediately. They asked whether the court might, instead, "permit an effective gradual adjustment to be brought about from existing segregated systems to a system not based on color distinctions."

The court also raised the question whether it should issue detailed decrees, if it determines they are warranted, or appoint a special master to hear evidence and propose the conditions of the decrees—a process that could take several years.

The justices further asked whether, in event of a decision ending segregation, the cases should be sent back to the lower courts for the preparation of decrees. And, if such a step should be taken, what procedures the lower courts should follow in arriving at specific terms of the more detailed decrees.

In the one segregation case decided today, the Justice Department had backed the District of Columbia government in asking the Supreme Court to upset a Court of Appeals ruling that 1872 and 1873 laws forbidding discrimination by restaurants in Washington were invalid.

The high court held that the legislative assembly which governed the district in those days had authority to pass such laws. And it said subsequent changes in the

form of government in Washington didn't wipe out those laws. It denied that the laws were abandoned or repealed because they haven't been used and enforced.

"The failure of the executive branch to enforce a law," the court said, "does not result in its modification or repeal. The repeal of laws is as much a legislative function as their enactment."

## "LOST LAWS" ENFORCED

With one unanimous decision, the Supreme Court opened every eating place in Washington to colored persons and established the capital's right to as much self-government as states and territories.

This was accomplished when the Court found "presently enforceable" a law passed in 1873 by the Legislative Assembly which ruled the District briefly after the Civil War.

"The lost laws," as the 1873 statute and one passed in 1872 were known, both provided that an eating-place proprietor had to serve "any respectable, well-behaved person" regardless of color, or face a \$100 fine and forfeiture of his license for one year. Both laws "disappeared" around 1901, when they were dropped without explanation from a compilation of the District Code. Several persons claim the honor, now, of their rediscovery. But the legal arguments, demonstrating the laws were still in

force, were first presented in a brief prepared by the National Lawyers Guild and submitted to the District Commissioners in 1949.

The Commissioners were still studying the laws in 1950, when three colored persons and one white forced the issue by entering a Thompson restaurant and requesting service under the old statutes. Thompson's refusal launched a test case. Considering the bitter differences of opinion the laws evoked from judges in the lower courts, the Supreme Court's unanimity is remarkable.

Besides opening restaurants, the opinion gives the District home-rule cause a boost. Once and for all it knocks out the idea that Congress can only dele-

gate limited power to the District—a notion that has seriously hampered the creation of a really workable home rule bill. Despite the fact that the case originated long before January 20, 1953, and was not argued before the court by any of the new administration lawyers, President Eisenhower was quick to claim political credit for this "forward movement."



# Brownell Hails Decision On Washington Cafe Segregation

WASHINGTON, D. C. — (NNPA) — Attorney General Herbert Brownell, Jr., has expressed gratification over the unanimous decision of the United States Supreme Court in the Thompson Restaurant case.

The court upheld the contention of the Justice Department and the District of Columbia that the 1872 and 1873 Acts of the short-lived Legislative Assembly of the District of Columbia, prohibiting discrimination against colored persons in restaurants and other public places are valid and in full force and effect.

Mr. Brownell said this action represents "a significant forward step toward accomplishment of President Eisenhower's anti-segregation program."

## JUSTICE DEPARTMENT

Participation of the Justice Department in the case, Mr. Brownell said, was in "furtherance" of the recommendation of President Eisenhower in his State of the Union message to Congress last February 2, of self-government for the District of Columbia, and also of his proposal "to use whatever authority exists in the office of the President to end segregation in the District of Columbia, including the Federal Government."

In its decision in the Thompson Restaurant case, Mr. Brownell said the Supreme Court accepted the Department's argument that "there is no constitutional barrier to the delegation by Congress to the District of Columbia of full legislative power subject, of course, to constitutional limitations." He said the power of Congress at any time to revise, alter, or revoke the authority granted.

He noted that the court emphasized that Congress possesses "authority under the Constitution to delegate the powers of home rule to the District of Columbia."

Mr. Brownell declared that the Justice Department will cooperate fully with the District authorities in regard to future enforcement of the anti-discrimination laws.

The Attorney General expressed the hope that the decision by removing all doubts and uncertainty as to the power of Congress to grant to the people of the District of Columbia "an effective voice in local self-government," will clear the way for congressional action on pending home-rule legislation.

He added that the Administration is studying the question of what measures the Federal Government and should take to carry out the President's policy to use the full authority of his office to end segregation in the District of Columbia.

## Covering Washington

BY ALICE A. DUNNIGAN FOR ANP

### THE FIGHT AGAINST JIM CROW

The fight against jim crow is still on in the District of Columbia in spite of the protest that is being raised against it. The most recent noise came from bankers who protested against the requirements of the Commodity Credit Corporation that private banks which make loans under the farm price-support program must promise not to discriminate in their own employment practices.

The CCC is alleged to have put the non-discrimination clause into its lending agency agreement on advice of the legal staff at the Department of Agriculture.

Agriculture Secretary Ezra Benson stated in Darlington, S. C. Wednesday that he believed this clause was unnecessary.

John C. Davis, president of the CCC, said the justice department would be asked to rule on this clause to decide whether it is in line with the 1943 executive order which bars anyone who holds iontraits with the government to discriminate against employees because of race, color, or creed.

Gov. James Byrnes of South Carolina, the President's recent appointee to the UN, has already registered his protest to such a provision with Mr. Eisenhower and has urged Secretary Benson to eliminate it.

### AGAINST SEGREGATED SCHOOLS

The Congress of Industrial Organizations has agreed to contribute \$2,500 to help finance legal preparations for the forthcoming re-hearings by the United States Supreme Court of the school segregation cases.

The check was presented by James B. Carey, Secretary, Treasury of CIO, to Thurgood Marshall NAACP counsel who is taking the leading role in the lengthy court process on school segregation.

Carey has also advised the NAACP that the "fullest cooperation and assistance" of the CIO legal department will be available.

The Grand Lodge of the Improved, Benevolent, Protective Order of the Elks of the World at its recent convention held in Atlanta pledged the full support of its Civil Liberties Department in helping the NAACP in this worthwhile fight.

### IN RECREATIONAL FACILITIES

The District Recreation Department announced Thursday that it has integrated, racially, seven more of its units during the last fiscal year ending June 30.

This raised the total to 35 out of 144 units under the supervision of the District Recreation Board integrated since 1949. All recreational facilities in the District operated by the federal government are integrated.

A day camp unit was operated by a mixed racial staff for the first time, according to Milo F. Christiansen, superintendent of Recreation in the District of Columbia. Five out of six existing day-camps are now non-segregated.

### IN CIVIL RIGHTS

The CIO voiced its hope, Wednesday, that the department of justice and the federal bureau of investigation would continue to investigate violations of the federal civil rights statutes, despite recent complaints by certain state governors that the FBI's activities are an invasion of state rights.

Arthur J. Goldberg, general counsel for CIO said in a letter to the attorney general that Gov. John S. Fine of Pennsylvania and Gov. John S. Battle of Virginia, "do not seem to recognize that the Civil Rights Acts, which have been on the statute book for almost three quarters of a century affirmatively place on the federal government the responsibility for implementing, specifically as against state and local officials, the constitutional guarantees set forth in the 13th, 14th and 15th amendments."

### IN OTHER AREAS

The anti-jim crow fight is spreading out in other areas such as employment with the Capital Transit Company of drivers on buses and street cars, and as operator in the telephone company.

Economists from Howard University and expert accountants

from the National Urban League with these girls, as there was also are attempting to show the Public one Negro man in the party, and Utilities Company that the em-the prize fighter made no attempt ployment of Negro drivers would to tackle him.

lighten their employment problem Some of our men are just as re-and render it unnecessary to in-sentful at seeing colored girls with crease fares on public transporta-white men as some white men are tion in the District of Columbia. at seeing their own girls with Ne-

Individuals and organizations gro men. are renewing the fight to have Ne- Another example is that of a gro girls employed as operators by prominent Negro business man who the Chestpeake and Potomac Elec- has recently opened a place in part- tric power company in this city. nership with a Jewish man. Some

Another movement is uder way of the Negro's customers of long to have trained Negro models to standing have expressed their in-seek employment with the big de-tention never to again patronize partment stores in downtown Wash- this business because the man has ington which have a large Negro taken on a white partner.

patronage.

**ARE WE READY YET?**  
The argument used by so many accept the theory working both southerners that Negroes are "not ways? This is something to think ready yet" for integration makes us about—so let's bury the hatchet of awful made and we are ready to prejudice and be fair. After all, resent such statements from per- this is America and we must learn sons of the opposite race. But to live and work together as Amer- when we actually come down to icans—and this game works two facts, the question still remains as ways.

to whether we are ready yet.  
I am thinking now of our most recent victory in the District of Columbia to abolish segregation in all eating places in the city. That did not meet the approval of all Negro businessmen. One manager of a swank up-town club is quoted as saying, "We may as well close our doors because our customers will not prefer going down town to the cocktail lounges rather than to patronize us."

After several weeks, there seems to have been no decline in business for the plush up-town private club.

Another restaurant said by radio that the integration would only mean that Negro eating places must improve their service, their food and their physical plant. This was an admission that these up-town places had not been offering the best service or foods available, to say nothing of the improvement of their places.

School teachers feel the same in many areas. Some protest the integration movement for fear of losing their jobs, rather than to improve themselves so that they can compete for employment in an integrated set-up.

### RECENT EXAMPLES

The most recent example of our not being ready yet appeared in the fatal attack on a Greek taxicab driver by a Negro prize fighter, who seemingly resented seeing two Negro girls out night clubbing with two white men. As a result he insisted on carrying one of the girls home. When the white escorts objected, he knocked one down and ran the other away from the scene. While no racial angle was injected in the hearing, it was obvious that his main objection was that of seeing the white men



## Human Relations Laboratory

## Racial Issue in D.C. Faces Ike

By Simeon S. Booker

Post Reporter

THE DISTRICT of Columbia may become the Nation's No. 1 laboratory in human relations within the next few months.

Racial segregation in the Nation's Capital could easily become an issue in the Eighty-third Congress, besides being a top-drawer problem for President Dwight D. Eisenhower.

Racial discrimination is not only of national importance, it also affects America's world position. The question has been a postwar sizzler in national politics, especially among Negroes whose votes might have swayed elections in several crucial States.

Dr. Ralph Bunche, United Nations mediator, spotlighted the situation in Washington when he refused to accept a State Department post here because of racial segregation.

DURING the election, both Democrats and Republicans, with an eye on the Negro vote, focused on segregation in the Nation's Capital.

Mr. Eisenhower emphasized the District of Columbia problem more than any other single item in the general controversy over civil rights. During an interview in Cleveland, he capped a long explanation of his views by saying: "Possibly I should have been a bit more specific. I believe we should eliminate every vestige of segregation in the District of Columbia."

The big question in the minds of many citizens now is: How can President Eisenhower accomplish what President Truman, the scrappiest civil rights champion the White House ever had, failed to do?

Mr. Truman said segregation in the District was beyond the scope of his executive powers. Under recent Democratic Administrations, sweeping changes were made in Federal Government policies concerning segregation, many of which were reflected within the

boundaries of the District. urged.

These included the abolition of segregation at Government-owned cafeterias and playgrounds, and the creation of departmental fair employment policy committees.

PRESIDENT Eisenhower faces a tough task to make good his campaign promise. President Truman issued as many race relations executive orders as was deemed possible without causing a major disturbance. Legal actions involving segregation in Washington public schools and other public facilities are pending in higher courts here. Thus President Eisenhower's field for action has been reduced.

Republican Party officials do not expect concrete action by this session of Congress on the elimination of District segregation. Republican majorities in both houses are slim and the party itself is not united on the issue. Whether there are enough "liberal" Democrats to make up for Republican defections is questionable.

A firm Republican stand on civil rights might upset the anticipated harmony with Southern Democrats, who are strongly opposed to any far-reaching Federal civil rights action.

Senate Majority Leader Robert A. Taft (R-Ohio), who is directing strategy in the upper house, has not been militant on the civil rights front. And Mr. Eisenhower's pledge cannot be carried out in toto without legislation.

DURING his Administration, President Truman was unable to slide a single item of his civil rights "package" through Congress.

At conferences with Negro leaders, General Eisenhower has promised a "persuasive approach" directed at the grass-roots level. This could mean action within the framework of municipal government.

Appointment of Negroes to key District posts has been

Some of President Eisenhower's Cabinet appointees may be helpful in carrying out his program. The new Interior Secretary, Douglas McKay, signed fair employment and equal education laws as Governor of Oregon. As a Cabinet member, his department will have jurisdiction over the National Capital Parks and the Park Police in Washington.

For the last several years, rigid segregation has been "softened" in many areas. Gains have been made in housing, employment, and education. But the city still has a long way to go in the field of human relations.

## Confers With Case

## Ike Hints Cautious Approach To Segregation in District.

By Thomas Winship

Post Reporter

NEW YORK, Jan. 15.—President-elect Eisenhower today turned his attention to Washington's municipal affairs, and left the impression the initial White House approach to District segregation would be cautious.

This emerged from a friendly, half-hour meeting here between Eisenhower, Senator Francis Case (R-S. Dak.) and Representative Sid Simpson (R-Ill.), new Senate and House District Committee chairman.

Other participants were Sherman Adams, assistant to the President, Thomas Stephens, Ike's appointment secretary, and Robert C. Albrook, who today will be named clerk of the Senate local affairs unit.

The conference was an unprecedented step toward seeking party accord—with a partial assist—on a legislative and administrative program for the city.

Ike took a lively and genuine interest in District problems, said Case, but repeatedly stressed that all his comments were exploratory; not to be construed as his final policy decision.

The District segregation issue was spotlighted by Eisenhower himself through his campaign statements that every vestige of racism should be eliminated in the Capital. For this reason, the lawmakers were particularly anxious to get the President-elect's personal thinking on the controversial question.

Ike made these general points on segregation. He reiterated his belief that not a single penny of Federal money should be spent in a way that would discriminate against anyone. He expressed surprise when advised at this point, that the annual Federal payment to the

The Red Cross sent 103 pints of blood to the hospitals where injured from both the train crash and a tire store fire and explosion were treated. Most of the blood was used for burn cases from the explosion.

Five professional disaster residents should be allowed to spend their own money as they saw fit, and be allowed to work out their own problems.

As a further point, Ike told the congressmen in the strongman, noting that more than 800,000 District constituents would badger one delegate to death. Proposals for a constitutional amendment to give District residents voting representation in Congress were mentioned to the President-elect. Case said "We told him of the time involved and problem of getting a constitutional amendment on this question."

Ike's expressed views, it was noted, seemed to add to those of Senate Majority Leader Robert A. Taft of Ohio.

Taft last week told reporters he always felt the District segregation problem should be handled through home rule—by officials elected by the residents.

Senator Case emerged from the Commodore Hotel meeting, and told reporters:

"In principle, I am of course opposed to segregation. . . . I do not, however, believe segregation in the National Capital can be ended tomorrow or by fiat." To force an end too quickly, he said, "would do more harm than good." Case emphasized that he was not speaking for Ike on this or any other matter discussed.

The meeting was the first real briefing the President-elect has received on the city he must govern. It also covered the local sufferage fight, the commissioner race and Case's new seven-point legislative program.

Case, a strong home rule advocate, said, "I was encouraged by his firm belief in elective representative government, and his feeling that people who are

governed have more of a voice."

The Senator explained his legislative aims for an enlarged Board of Commissioners, an elected advisory council and elected non-voting delegate as "interim steps" to full home rule.

Case said Ike listened attentively to the proposals, "and grasped what we are driving at."

The conference did produce accord on two of Case's interim proposals. Simpson, in the past a home rule opponent, said he favored enlarging the Board of Commissioners by two. Ike also said the idea sounded fine, according to participants.

Simpson also said he would vote for a bill for a House delegate, elected from the District.

"In fact, there should be three delegates." One would be no good. What do you want to do, kill him?" asked the Congressman, noting that more than 800,000 District constituents would badger one delegate to death.

Proposals for a constitutional amendment to give District residents voting representation in Congress were mentioned to the President-elect. Case said "We told him of the time involved and problem of getting a constitutional amendment on this question."

Simpson apparently made some headway on a suggestion that Ike mention the District in his Inaugural or State of the Union message. "When I mentioned it, Sherman Adams started writing."

As the conference broke up, Simpson told Ike he'd be glad to "walk around" the Burning Tree golf course some day, "if you can't find a partner."

Ike said thanks but suggested golfers at the local course might not like his ever-present secret service guard popping out from behind bushes.



# Ban on Negro Diners Upheld

By The Associated Press  
WASHINGTON—The United States Court of Appeals, dividing 5 to 4, ruled Thursday that eating places in the capital may refuse service to Negroes.

The majority held that law passed by the legislative assembly in 1872 and 1873 against racial discrimination cannot be enforced for these major reasons:

- 1—The anti-discrimination laws weren't valid in the first place.
- 2—Since they were not enforced for 78 years, they can only be put into execution now by legislative action.

The case grew out of the refusal of a John R. Thompson restaurant to serve Negroes. Municipal authorities argued that the 19th century law required that they be served.

Chief Judge Harold M. Stephens wrote the majority opinion. Bennett Champ Clark, Wilbur K. Miller, James M. Proctor and E. Barrett Prettyman concurred.

Judge Charles Fahy wrote a vigorous dissent in which Judges Henry W. Edgerton, David L. Bazelon and George T. Washington joined.

The case is expected to reach the Supreme Court ultimately.

If the court of appeals decision stands, operators of Washington eating places may continue to serve or not serve Negroes as they choose.

Negroes now are served in some eating places, but not in others.

The majority held that the enactments were not within the power of the legislative assembly and further that they were repealed by the District of Columbia code of 1901.

## Restaurant Bias In D. of C. Upheld

WASHINGTON, Jan. 22 (UP).—The District of Columbia Appeals Court ruled today that Washington restaurants may legally refuse to serve Negroes and said any change in discrimination policies here should be made by Congress.

The court in effect killed two "lost" laws of 1872 and 1873 which barred discrimination in eating places because of race. No attempt was made to enforce the statutes until 1950,

when Thompson's restaurant here refused to serve three Negroes.

**WIDE APPEAL RULING**  
Chester H. Gray, Assistant Corporation Counsel for the District of Columbia, said the case would be carried to the Supreme Court.

The Appeals Court held in a 5-to-4 opinion that the district's old legislative assembly had no power to pass the laws. The assembly was a kind of city council established by Congress in 1871 to govern Washington. It existed for only three years.

The capital now is governed by three commissioners appointed by the President. They enforce laws passed by Congress.

### SEES LAWS REPEALED

The Appeals Court, in an opinion by Chief Judge Harold M. Stephens also held that even if the laws were valid they had been repealed when all District of Columbia statutes were codified in 1901.

Stephens made it clear that the ruling dealt only with the validity of the old statutes and not with the "wisdom" of the discrimination policies they reflected.

The dissent, written by Judge Charles Fahy, said that "neither time nor neglect" should bar enforcement of the statutes.

## D. C. Appeal Due on Cafe Segregation

### Ruling Upholding Refusal to Serve Negroes Will Go To Supreme Court

By Richard L. Lyons  
Press Reporter

The District will ask the Supreme Court to review the United States Court of Appeals decision of Thursday which held that Washington restaurants legally may refuse to serve Negroes.

An appeal was assured yesterday when Brig. Gen. Louis W. Prentiss, engineering commis-

sioner, said he would vote for it.

Commissioner F. Joseph Donohue and Corporation Counsel Vernon E. West had urged an appeal the moment they learned of the court's 5-to-4 decision. It makes no difference now how Commissioner Renah F. Camalier votes. He said yesterday he wanted to read the decision before deciding on the appeal question.

Prentiss pointed out that the city had started the court action to clarify the status of the "lost laws" of 1872 and 1873, which were enacted by a legislative assembly to forbid restaurant segregation. "I don't see how they can be finally clarified without going to the Supreme Court," he said.

The District has no automatic right of appeal to the high tribunal in such a case. Usual procedure would be to apply for a writ of certiorari asking for a review of the decision.

The Commissioners still have taken no action on Donohue's proposal that they reenact, as a Commissioners' regulation, the old restaurant antisegregation laws which the Appeals Court threw out.

The court had split 4 to 4 on the constitutionality of the restaurant laws, with the ninth judge, E. Barrett Prettyman, holding them invalid on the grounds they had been repealed, in effect, by disuse. Donohue's plan was to eliminate the question of disuse and thus perhaps pick up five votes against segregation in the Court of Appeals if the new regulation should also be taken to court.

Camalier said he thought such a regulation should wait until the Supreme Court has ruled on the case. Prentiss has taken no stand on it.

## Odd Bits Of Dope From Merry-Go-Round

IT WASN'T the sniffles but a high-policy decision that kept Mamie Eisenhower away from the movies the other night. She was all set to attend the premiere of "Never Wave at a Wac" at Keith's Theater, around the block from the White House. However, the last minute a group of Negroes threatened to picket both the theater and the White House if she attended—on the grounds that Negroes were barred. The president's top political advisers held a hasty conference, decided the First Lady must stay at home. . . . Ex-Vice President Alben Barkley had trouble finding a seat at the premiere. He headed automatically for the section reserved for high government officials, but an usher ordered him back among the private citizens. . . . So many foreign notables attended that TV glamor girl Elaine Barakat, interviewing celebrities in the lobby, had to ask questions in French, Spanish and Turkish. . . . Only a few caught a glimpse of Gen. Omar Bradley, the guest of honor, in the wings before he came out to be introduced. Noticeably stage-conscious, Omar straightened his tie, tugged on his coat and sneaked a peek at himself in a backstage mirror.—C

## White Minister To Boycott Bias In Restaurants

WASHINGTON—(ANP)—A white minister, the Rev. A. Powell Davies has told his congregation at All Souls' Unitarian Church, that he will knowingly eat in any restaurant in the nation's capital if it refuses to serve Negroes.

In making this statement to his church, Rev. Davies asked his members to join him in his campaign to encourage brotherhood in every day living. He also announced a list of 65 eating places that show no racial bias and that he is polling other dining centers on the question of service.

In a sermon to his parishioners, Dr. Davies pledged:

"I shall myself, from this time on, not knowingly eat a meal in any restaurant in the District that will not serve meals to Negroes. And I shall make this known to restaurant managements. I invite all who truly believe in human brotherhood to do the same."

Rev. Davies sent out this letter to restaurant owners in a poll he is taking:

"To managers of restaurants in the District of Columbia:

"The inclosed list names all those Washington restaurants which are known to us to serve meals to well behaved persons irrespective of their race. We believe there must be other restaurants which practice American democratic principals, and we would like to add them to our revised list.

"If your restaurant serves meals

to Negroes on the same basis as the service given other citizens, will you kindly advise me at your early convenience so that its name may be included?"

The preacher's current list was gathered by the Unitarian Fellowship for Social Justice. This organization has asked parishioners to report other eating places serving all races.

## Court ban asked in Washington race segregation

WASHINGTON, March 10 —(P)—The Eisenhower administration today asked the Supreme Court to strike down racial segregation in Washington, D. C. restaurants and thus help the nation's capital move toward home rule.

Atty. Gen. Brownell raised both the home rule and segregation issues in a brief filed with the High Tribunal as a "friend of the court."

He acted in connection with a case which the District of Columbia brought against the John R. Thompson Restaurants here. The district charged that the restaurants' refusal to serve Negroes violated two anti-discrimination laws adopted by the District Legislative Assembly in 1872 and 1873 when the capital briefly had a form of local self-government.

THE DISTRICT COURT OF APPEALS, by a five-four vote, threw out the case on a holding that Congress could not delegate to a local district government the authority to enact "general legislation."

The attorney general told the Supreme Court that the Appeals Court findings "are clearly erroneous."

His brief quoted from President Eisenhower's State of the Union message last month in which the president endorsed home rule for the district and asserted he intended "to use whatever authority exists in the office of the president to end segregation in the district, including the federal government."

BROWNELL ARGUED that there is nothing in the Constitution or previous Supreme Court decisions to support the Appeals Court's position.

The brief called attention to the fact that some of the U. S. territories, acting "under grants of legislative authority," have adopted anti-discrimination laws whose constitutionality, Brownell said, "is, of course, beyond question."

He asserted that District resi-

dents should have "the democratic right, enjoyed by all other American citizens, of local self-government," and that Congress should be relieved "of the unnecessary, time consuming burden of acting as a city council for the District."



## RACIAL:

## Capital Case

The segregation issue moved literally into Washington last week when the U.S. Court of Appeals ruled that restaurants in the nation's capital could refuse to serve Negroes. The test case, complicated by state versus Federal considerations, was based on an 1872 statute passed by the now-extinct Legislative Assembly, which banned segregation. Holding the law invalid on technical grounds, the court tossed the problem into the lap of Congress.

## Ike's Wife Balks at Jim Crow

NEW YORK—Mrs. Mamie Eisenhower refused to attend the recent premiere of a film in Washington, D. C., because the theatre involved segregation in its seating arrangements, INS Columnist Louella O. Parsons asserted last week.

Miss Parsons said that Mrs. Eisenhower "did not attend the Washington Premiere of 'Never Wave at a Wac,' starring her good friend, Roz Russell, because the theatre segregates seats for Negroes. In his campaign speeches our President promised to do something about this undemocratic discrimination."

MISS PARSONS explained that Mrs. Eisenhower saw the picture later in the White House. The columnist said that "Never Wave at a Wac" was the first picture to be shown in the White House since the "advent" of the Eisenhowers to its occupancy.

## Aide Probes Washington Bias

# Eisenhower Orders Segregation Study

BY LOUIS LAUTIER  
WASHINGTON, D. C. — (NN-PA) — The White House revealed today that a member of the White House staff is making a study of the powers of the President to end segregation in the District of Columbia.

James C. Hagerty, White House press secretary, was asked at his conference whether such a study was being made. Hagerty answered in the affirmative.

The question arose as a result of President Eisenhower's declaration in his State of the Union message.

Hagerty declined to elaborate on his answer. He said he did not know how far along the segregation study has gone, nor could he reveal who is making it.

The question arose as a result of Mr. Eisenhower's declaration in his State of the Union message that he proposes "to use whatever authority exists in the office of the President to end segregation in the District of Columbia, including the federal government, and any segregation in the armed forces."

It appears that Mr. Eisenhower has authority to move against segregation in Washington, without additional legislation, along several lines.

In the first place, there is no law requiring racial segregation in the District of Columbia. Various Acts of Congress relating to the local public school system have been interpreted as requiring segregation, but segregation in the public elementary and high schools has been challenged in a case now awaiting decision by the United States Supreme Court.

### APPOINTEE POWER

President Eisenhower's biggest weapon against segregation here apparently is his appointive power.

The Board of Commissioners of the District of Columbia administers the local government. The President appoints two of the three commissioners from civil life for the term of two years each. The other commissioner is detailed from time to time by the President from the Army Corps of Engineers.

There seems to be little doubt about the validity of a municipal regulation, passed by the Board of Commissioners, making opera-

tion of licensed restaurants, taverns, motion picture theaters and other places of public accommodation subject to a regulation requiring them to serve all well-behaved persons.

Judge E. Barrett Prettyman, who concurred in the result of the majority opinion of the United States Court of Appeals in the Thompson Restaurant case, said he thought that a restaurant operator could be prosecuted for failure to observe such a regulation, although he believed that the Equal Service Acts of 1872 and 1873, passed by the District of Columbia Legislative Assembly was unenforceable.

Such a regulation is now being drafted by the Corporation Counsel, and adoption of it is favored by Commissioner F. Joseph Donohue, but the other two commissioners want to delay action on it until after the Supreme Court has disposed of the Thompson Restaurant case.

### EMPLOYMENT ISSUE

In regard to segregation and discrimination in employment, Mr. Eisenhower could accomplish a great deal by simply enforcing the nondiscrimination policy of the Federal Government in Federal agencies and directing the District Commissioners to employ and upgrade personnel in the local government without regard to race or color.

Commissioner Donohue moved more than a year ago to integrate colored firemen with white firemen in the Fire Department, but his plans were balked by Southern members of the House District of Columbia Committee.

Republicans now have a majority on that committee, although some of them have publicly stated that they are opposed to integration, and Mr. Eisenhower can now tell Mr. Donohue to put into effect his integration plan.

One question which probably needs exploration is whether the Public Utilities Commission can issue a regulation requiring the Capital Transit Company to employ when he got them to drop the colored persons as street car and bus operators. The company has consistently refused to employ colored persons for such jobs, although it advertises far and wide for workers and even recruits govern-

ment employees on a part-time basis.

Mr. Eisenhower also can require the District Commissioners to insert in all District procurement contracts the same clause that is contained in Federal Government contracts, obligating the contractor and his subcontractor not to discriminate against any worker because of race, color, or religion.

The District Government has never inserted such a clause in its contracts on the ground that it was not required to comply with President Truman's executive order.

Such a clause in District contracts would reach building construction, one of Washington's largest industries, and the various building trade unions which discriminate against colored crafts-

The President also can wield considerable influence toward having the District Commissioners to move in the areas where they can to wipe out segregation through budget requests for appropriations.

Mr. Eisenhower, for instance, could request the Congress not to earmark any funds for white and colored schools but simply to make appropriations for the schools.

With respect to public recreation, one member of the District Recreation Board represents the Commissioners, four others are appointed by the Commissioners, one represents the Board of Education, and the seventh member is the superintendent of parks, a federal official. At Mr. Eisenhower's suggestion, the commissioners could get the recreation board to end segregation in public recreational facilities under the board's control.

The President also has one other triumph he can play. Joseph C. McGarraghy, who was chairman of the Inaugural Committee and has political ambitions, is the attorney for the Restaurant Association of Washington. That he has considerable influence with Washington hotels and restaurants was shown when he got them to drop the colored bars during inaugural week.

A presidential chat with Mr. Garaghy, whom, friends say, would like to be a federal judge, might persuade him that restaurants and

hotels in Washington should permanently drop their color bars.

## Memorandum To Rep. Javits Answers Questions

By ALICE A. DUNNIGAN

WASHINGTON, D. C. — (ANP) — Several instances of racial segregation in the District of Columbia are enforced by specific law, according to facts released last week by the Library of Congress.

A memorandum prepared by the library's legislative reference service was put in the Congressional record by Rep. Jacob K. Javits (R-Lib., N. Y.).

The memorandum attempted to answer three specific questions posed by Rep. Javits:

1. "How specifically does congress govern the District?"
2. "What proceedings are required to amend or repeal its provisions?"
3. "What are the enactments which create, impose, or permit segregation?"

In reply to the first question the library memorandum pointed out that the government of the District of Columbia is peculiar to itself inasmuch as it has no local legislature. Congress must make all laws, thus, taking the place of a city council or a county board.

Since 1878 the executive authority has been vested in three commissioners, two appointed by the President and confirmed by the senate from residents of the District for three-year terms, the third detailed by the President from the Engineer Corps of the Army for an indefinite term.

On the second question, the study revealed that legislation for the District of Columbia enacted, amended, or repealed in congress in the same manner as acts of other laws.

As for the third, it was pointed out that segregation does not appear as a heading in the 1951 edition of the District of Columbia code, but several sections involving segregation are included.

Among the specific references made to segregation in the D. C. code were:

1. An authorization to directors of the Columbia Institution for the Deaf to provide for the education



of colored deaf-mute children properly belonging to the District of Columbia, in the Maryland school for colored deaf-mutes, or some other suitable school, at a cost not exceeding the per capita expense of educating the state pupils in such schools.

2. Advises the board of education of its duty to provide suitable and convenient houses or rooms for holding schools for colored children, to employ and examine teachers therefor, and to appropriate a portion of the school funds, to be determined upon number of white and colored children... to the payment of teachers' wages, to the building or renting of school rooms, and other necessary expenses pertaining to said schools.

3. Pointed out that any white resident shall be privileged to place his child... at any one of the schools provided for the education of white children in the District of Columbia... and that colored residents shall have the same rights with respect to colored schools.

4. A proportionate part of all moneys received or expended for schools or educational purposes shall be set aside for colored children between the ages of six and 17 years in proportion to their ratio to the whole number of children white and colored, between the same ages, for the purpose of establishing and sustaining public schools for the education of colored children.

5. It is the duty of the board of education to provide suitable rooms and teachers for such a number of schools in the District of Columbia as, in its opinion, will best accommodate the colored children in that city.

6. That the board of public welfare shall have the same power and authority over girl inmates during the period of their commitment to the institutions or while they are being conducted to or from said schools. It shall not be lawful to keep white and colored girls on the same reservations under the control of the board of public welfare.

Rep. Javits also asked "To what extent jim crowism has been abrogated and how was that, if any, accomplished?" The library answered:

"The answer to this, question would depend upon the definition given to jim-crowism. If the more common definition, separate accommodations in common carriers is used, there has been no abrogation because there has been no imposition. If a broader definition, including all laws requiring segregation is used, the list of acts given are all we find that have been or are in effect. By administrative rule of the Interior department, segregation in some of the swimming pools of the District of Columbia was recently abrogated."

# Eisenhower Studies Powers Of Office In Ending Segregation In Washington

Press Secretary Admits White House  
Is Working On Problem Of Jim Crow

By LOUIS LAUTIER

WASHINGTON — (NNPA) — The White House revealed this week that a member of the White House staff is making a study of the powers of the President to end race segregation in the District of Columbia.

James C. Haggerty, White House press secretary, was asked at his conference whether such a study was being made. He answered in the affirmative.

Haggerty declined to elaborate on his answer. He said he did not know how far along the segregation study has gone, nor would he reveal who is making it. It appears, however, that Mr. Eisenhower has authority to move against segregation in Washington, without additional legislation, along several lines.

## No Law Requires It

In the first place, there is no law requiring racial segregation in the District of Columbia. Various Acts of Congress relating to the local public school system have been interpreted as requiring segregation, but segregation in the public elementary and high schools has been challenged in a case now awaiting decision by the U.S. Supreme court.

President Eisenhower's biggest weapon against segregation here apparently is his appointive power.

The Board of Commissioners of the District of Columbia administers the local government. The President appoints two of the three commissioners from civil life for the term of two years each. The other commissioner is detailed from time to time by the President from the Army Corps of Engineers.

## Can Exact Pledge

All that President Eisenhower has to do is to exact a pledge from persons he is considering that if he appoints them as commissioners they will do all within their power to wipe out segregation in the District.

There seems to be little doubt about the validity of a municipal regulation, passed by the Board of Commissioners, making operation of licensed restaurants, taverns, motion picture theaters and other places of public accommodation subject to a regu-

lation requiring them to serve all well-behaved persons.

In exclusive residential areas, like the Spring Valley development, where it was revealed during the Presidential campaign that Vice President Richard M. Nixon, Senators John J. Sparkman of Alabama and Estes Kefauver of Tennessee, and other Senators own homes covered by racial restrictive covenants, it is possible that Mr. Eisenhower can get Attorney General Herbert Brownell to bring an anti-trust action to set aside such covenants.

With respect to housing, Mr. Eisenhower also could direct the Housing and Home Finance Agency to make no further commitments for public housing projects in Washington that are to be built on a segregated basis.

In regard to segregation and discrimination in employment, Mr. Eisenhower could accomplish a great deal by simply enforcing the nondiscrimination policy of the Federal Government in Federal agencies and directing the District Commissioners to employ and upgrade personnel in the local government without regard to race or color.

There is no question of Mr. Eisenhower's authority to end segregation in St. Elizabeth's hospital, a federal institution for the insane, where colored physicians are not allowed to practice.

All he has to do is to direct Mrs. Oveta Culp Hobby, Federal Security Administrator to end the practice there, as well as the segregation of colored deaf children who are taught in the Kendall School at Gallaudet college under a contract with the District Board of Education, Columbia Institution for the Deaf, of which Gallaudet college is a part, is a federal institution.

## D. C. Appeals Cafe Race Ban To High Court

Thompson Segregation  
Case Called Important  
To Home Rule Here

By Chalmers M. Roberts

Post Reporter

The District yesterday asked the Supreme Court to consider the Thompson Restaurant case because it "embraces two subjects of substantial national and local concern—racial discrimination and Congressional power to grant home rule."

As the District brief was filed with the high court, it was reported that Attorney General Herbert Brownell, jr., shortly will announce that the United States will file a friend of the court brief on the District's side.

The District declared that the effect of the Court of Appeals' recent ruling that the 1872-73 antidiscrimination laws are invalid has a three-fold effect:

"First, it freezes the law of the District of Columbia in the pattern of racial discrimination which the people of the District had thrice attempted, through their own representatives, to reject.

"Second, by holding that the enactments of the Legislative Assembly of 1872 and 1873 which are under question in the instant cases were of the character of 'general legislation,' the power to enact which Congress could not constitutionally and did not delegate to the Legislative Assembly, the Court of Appeals has erected a

barrier to effective home rule in the District of Columbia.

"Third, under this decision, not only is Congress impotent to determine what degree of legislative authority it is wise, expedient or desirable to delegate, within the terms of the Constitution, to a subordinate District of Columbia Government, but... every delegation

of legislative authority by Congress is subject to vague, unspecified standards which could only be determined after protracted litigation in the courts."

Signed By West

The District brief was signed by Corporation Counsel Vernon E. West and assistants Chester H. Gray and Edward A. Beard. The restaurant company has 30 days to file an answer.

The Supreme Court will decide whether or not to hear the case. If it is accepted, there is still time for a decision during this term which ends about June 1.

West's brief quoted President Eisenhower's State of the Union remarks on District segregation and home rule in support of the contention that the case has "substantial" national concern.

The District argued that the Constitution gives Congress power to delegate to a local legislative body the power "to enact laws which are entirely local in nature and effect" and that the antidiscrimination acts which affected restaurants and other eating places fell in that category. The brief also contended that the laws were still on the books despite a recodification and long years of non-enforcement.

## Others Have Vote

The brief concluded:

"In every locality in the United States except the District of Columbia, the question whether or not to prohibit racial discrimination in licensed public eating houses would be decided in the American way, by vote of the people. Here... the views of the majority must be left to conjecture for until Congress provides the means the people of the District of Columbia are powerless to register their will.

"The effect of the decision of the United States Court of Appeals in this case is to make it impossible for Congress, until the Constitution is amended, to provide the means for the people of the District of Columbia to decide this or any other question for themselves."



## Position of Negro in District Improves Yearly

# Ike's Proposal Highlights Washington Racial Issue

By EDWIN A. LAHEY

Of Our Washington Bureau

WASHINGTON — President Eisenhower has turned the spotlight dramatically on the problem of racial relations in the District of Columbia.

Since color consciousness and resentment against the White man are ingredients of revolution in the world, the hard facts of discrimination and segregation in Washington, the capital of the "free world," have become somewhat of an anomaly.

The pattern of segregation and discrimination in Washington were strong enough to impel Ralph Bunche to decline the job of assistant secretary of state a few years ago.

The distinguished Negro diplomat, had he moved his family to the capital of the "free world," would have had difficulty getting a meal in public in downtown Washington.

His children would have been unable to play in "White" recreation areas, or go to "White" movies and "White" schools.

The history of the Negro in Washington has had its ups and downs, but the present social pattern was pretty well fixed when the Democrats took over control of the national government (and the local government of the District of Columbia) under Woodrow Wilson.

Communists in Asia and Africa can and do paint a bitter picture of "White supremacy" in the capital of the "free world."

But the most important aspect of the problem is that it changes a little for the better every year.

There is one indisputable bit of evidence to support this:

Hardly a day passes in Washington without a news item in the local papers having to do with some phase of the pressure caused by the old pattern of racial segregation and discrimination.

The United States Court of

Appeals a few weeks ago declared that two old ordinances against discrimination by public restaurants were invalid.

But this action only served to increase the pressure for new legislation.

While some groups were fighting this type of discrimination in the courts, a few big hotels quietly lifted their racial ban to permit Negro convention delegates to enjoy their facilities.

The District of Columbia's segregated school system is involved in the litigation now pending before the United States Supreme Court, which may hand down a decision in the next few months on the constitutionality of the "separate but equal facilities" theory of the South.

In the meantime, the Catholic schools of the District of Columbia have shown the way toward integration. One of the first official acts of Archbishop Patrick O'Boyle of Washington was to ban segregation in the parochial schools of the archdiocese.

The playgrounds and swimming pools operated by the district government are segregated, but a few pools operated in Washington by the national parks service of the department of the interior were put on an interracial basis a few years ago, without serious incident.

It took a long and bitter campaign by interracial groups, with the help of Actors Equity, to open the legitimate theater to Negroes in Washington. For a couple of years there was no live drama in the city because of this fight.

But Washingtonians, whether they are native, from the "Deep South," or from the North, with synthetic racist prejudices, have become accustomed to seeing Negro patrons at the legitimate houses.

The motion picture houses are still segregated, but there has been no clamor about this by the groups who fought to end discrimination against Ne-



RALPH BUNCHE

... declined to serve gro patrons in the live theaters.

President Eisenhower's proposals to Congress will dramatize the racial issue for months to come.

He asked that the District of Columbia be given an "effective voice in local self-government." This "home rule" proposal is a hardy perennial in Congress, and has powerful background opposition because of the fear that self-government would give great power to the Negroes, who constitute about 30 per cent of the population of the District.

While the "home rule" measure is cooking, Mr. Eisenhower proposes immediate legislation to increase the number of District of Columbia commissioners from three to five.

The President appoints the commissioners, and Mr. Eisenhower made it plain that he wants to put at least one Negro on the commission.

The Republican - controlled 83rd Congress has a very simple choice here, and its members must now fish or cut bait.

## Our Opinions

### Jim Crow In Washington

The long fight to make our national capital city, Washington, a living example of the democracy that our government preaches throughout the world suffered another setback this week.

The United States Court of Appeals, the second highest judicial body in the land, gave the bigots the go-ahead signal by deciding, in effect, restaurants in the district of Columbia have the legal right to refuse to serve Negroes.

This is a rather startling decision for a high level judicial body to make these days. Proof that there was no other alternative possible under the law is the fact that four of nine-member panel disagreed with the majority opinion.

While we have always felt that any segregation of racial or religious discrimination or segregation in this country was a reflection upon each and every American as well as the nation as a whole, the contradictory existence of discrimination and segregation of the worst type in our national capital has always appeared to us to be not only a very bad piece of public relations for the United States but an act of brazen defiance of the government itself. It amounts to a desecration of all that we as a nation hold in deep respect. It is as subversive as any scheme the most anti-American Communist could conceive.

The men responsible for this opinion are Chief Justice Harold M. Stephens and Justices Barnett Champ Clerk, Wilbur K. Miller, James M. Proctor and Elijah B. Prettyman. Dissenting were Charles Fahy, Henry W. Edgerton, David L. Bazelon and George T. Washington.

The case before the court had its inception in the refusal of Thompson's restaurant to serve Mrs. Mary Church Terrell and the Rev. Arthur M. Elmes, three years ago. Mrs. Terrell is one of the nation's most cultured women and the wife of the late Judge Rob-

ert H. Terrell. Reverend Elmes is the pastor of Peoples Congregational church.

The issue tests the validity of the so-called "lost" laws passed in 1872 and 1873, barring discrimination in eating places because of race, creed or color.

Rather stupidly, we think, the majority of the judges held that the laws are not valid today because the government under which they were passed has since beer changed and further that they are void because they have not been invoked for a number of years.

The four dissenting judges took the view that acts were regulatory municipal ordinances, that they were valid when enacted that they have not been repealed and are therefore, still in effect.

Last week from very authentic sources we learned that then President Truman was preparing an executive order that would have abolished such practices. For reasons not known to us, Truman left office without carrying out his intention in this regard.

Now two courses are open. In a Harlem speech during the campaign, President Eisenhower vowed to end racial segregation in Washington if elected.

However, Sen. Francis Case of South Dakota reported that Eisenhower now feels that abolition of segregation should be approached with caution and suggested that it might be better to submit the issue to the people after the District achieves home rule.

Since there is no assurance that the District will have home rule anytime in the future this amounts to a shelving of the whole matter so far as the President is concerned.

The other alternative is the United States Supreme court. While we are not in a position to predict how the high court would act on this matter, it would certainly not be too much to hope that they would reverse the appeals court especially since the climate for such a decision is better now than it has ever been before.

Regardless what happens in the future regarding this issue, we feel that not only the existence of segregation in the capital, but the decision of our second highest court in condoning it will always remain a black page in the history of our nation.



# Brownell Hits Cafe Segregation In DC

## Eisenhower Administration Files Brief In U. S. Supreme Court Case

WASHINGTON — (SNS) — Action towards fulfilling a campaign pledge of President Eisenhower was begun Tuesday when Attorney General Herbert Brownell asked the United States Supreme Court to strike down racial segregation in District of Columbia cafes.

The move was directly aimed at restoring home rule in the nation's capital, and was contained in a 'friend of the court' brief filed before the high tribunal. The complaint specifically raised both the home rule and segregation issue.

Negro leaders for years have complained of racial segregation in Washington, D. C. theatres, cafes and department stores and the issue was a major one in the presidential race between Eisenhower and Adlai Stevenson, former governor of Illinois, who was the defeated Democratic candidate.

### "WILFUL REFUSAL"

Atty. Gen. Brownell brought the attention to the court in noting a case which the District of Columbia brought against the John R. Thompson Restaurants who were charged with wilful refusal to serve Negroes.

The district said the restaurant's refusal to serve Negroes violated two anti-discrimination laws adopted by the district assembly briefly in 1872 and 1873 when the capital briefly held self-government.

Brownell termed a lower court reversal of the segregation statutes "clearly erroneous" and said it throws doubt upon Congress' power to grant the District of Columbia self-government.

### HOME RULE

The Court of Appeals ruled five to four that the District could no longer enforce the laws, which were passed in 1872 and 1873 during a brief period of "home rule."

The attorney general told the high court that this decision "casts a cloud upon the constitutional power of Congress" to grant home rule, delegate authority to enact local laws and "deal with the serious problems arising from racial discrimination in the District."

Brownell attacked the appeals court ruling, which held that the District's now-defunct legislative assembly did not have the power to

enact "general legislation," including local anti-discrimination laws.

Brownell also drew attention to the broader implications of the case and pointed out that several hundred thousand federal employees work and live in the District of Columbia area.

He said "it is the established policy of the U. S. that its employees shall be hired, and shall work together, without regard to any differences to race or color."

## Davis Hits

## Ike On Cafe Segregation

WASHINGTON — Representative James C. Davis, of Decatur, Ga., sharply criticized the Eisenhower administration here Thursday for filing a brief with the United States Supreme Court asking that all segregation be outlawed in restaurants of the District of Columbia.

Speaking on the floor of the House, the representative from Georgia's fifth district, accused President Eisenhower and his associates of "trying to outdo the 'New Deal' in its appeasement of 'radical minority pressure groups'."

Congressman Davis objected to a brief filed in the Supreme Court by Attorney General Herbert Brownell asking for an end to segregation in Washington public eating places. He said millions who voted for Eisenhower in the last election will be disappointed by the action.

Davis challenged the right of Attorney General Brownell to speak for the people of the United States in intervening in the segregation case.

"It was an unauthorized act on the part of the attorney general, who obviously moved with the approval of the President," he said. "He assumes the right to speak for the

people in matters of this kind. It is a fake and a fraud for him to do that. He pushes himself into the case at the insistence of the President.

"This undoubtedly was done as a political gesture in the hope that these radical groups can be enticed away from the New Deal and attached to the Republican Party. The brief that has been filed with the Supreme Court is being used as money to pull political chestnuts out of the fire for them."

## Suit Called Key to Home Rule Put to High Court

### Brownell Urges Tribunal to Review D. C. Restaurant Segregation Case

By Chalmers M. Roberts

Post Reporter

Washington

Attorney General Herbert Brownell, jr., yesterday asked that the Supreme Court review the Thompson Restaurant segregation case in order to end the "heavy overhanging cloud of doubt" as to congressional power to grant the District home rule.

"That cloud would remain indefinitely as an effective obstacle to legislative action" if the Court of Appeals decision of last fall is allowed to stand, Brownell's brief said. The brief was filed as a "friend of the court" on behalf of the United States.

"A further reason" for reviewing the case, the brief said, was the lower court's finding that the "lost laws" of 1872-73 which prohibited racial segregation in restaurants were unenforceable by the District government. Brownell declared:

"The decision below does more than to deprive these acts of vitality; in holding that 'civil rights legislation' is outside the

proper limits of municipal power, the court has erected a barrier against delegation by Congress to the people of the District of Columbia of authority to deal, on a local basis, with the problem of racial discrimination in the District."

Brownell, in referring to "the importance of solving this problem," cited President Eisenhower's State of the Union address. Included was the President's statement that "I propose to use whatever authority exists in the office of the President to end segregation in the District..."

It appeared to be nip and tuck yesterday whether the Supreme Court, should it agree to review the case, could hand down an opinion before the present term ends in June. The restaurant firm's reply to the District government's request for a review must be filed by March 28. Attorney Jo V. Morgan, jr., for the firm, said

yesterday he hoped to have it in within the next week or 10 days.

The Government brief argued that the restaurant case is "obviously not of mere local concern" but of "large national importance," thus meriting review.

Brownell told the court that the question of whether the District should have home rule and in what form "is properly one of legislative policy and not of constitutional power." Up to now, he said, Congress "was concerned more with the wisdom of such legislation than its constitutionality." Reversal of the lower court ruling is necessary, he went on, "to enable Congress to deal with the question of home rule for the District as it should be dealt with, in the framework of legislative policy determination rather than of constitutional interpretation."

The legal argument advanced by the Government was that the District "stands on the same constitutional footing as other Federal territories." The "exclusive" jurisdiction over the District which the Constitution placed in Congress was designed "solely in order to make it clear that the law-making authority of Congress should be exclusive and not concurrent with that of the ceding States" of Maryland and Virginia from whose territory the District was originally constituted. The appeals court

majority "seemed to assume, the brief went on, that the word "exclusive" meant "nondelegable."

It was pointed out that several territorial governments have enacted laws against racial discrimination.

The distinction drawn by the appeals court between "general legislation" and "municipal legislation" applies within a State and not in the District where city and "State" functions are wrapped up in one government. The appeals court majority ruled that the "lost laws" were general rather than municipal in character and thus beyond the scope of a local legislative body set up by Congress.

Brownell's brief took issue with Chief Judge Harold M. Stephens' opinion that civil rights regulations could be considered "municipal" in character only if they were in accord with "local custom." Brownell argued:

"This seems to mean that no ordinance could be regarded as a valid exercise of municipal authority unless its purpose and effect were to preserve peace and order... It would follow that the more widespread and noxious a local evil is, the less would be the power of a municipality to deal with it: a municipal law would be invalid if a court finds it in conflict with 'local custom,' no matter how deplorable such custom is and how strongly the community desires to alter it."

Signing the brief with Brownell were Acting Solicitor General Robert L. Stern and Special Assistant to the Attorney General Philip Elman.



# Swank Washington Restaurant Drops Race Bars; Total Reaches 64

## Washington Case Expected to Reach Supreme Court

WASHINGTON —(ANP)—The elaborate Longchamps restaurant recently opened to all citizens of Washington marks the 10th new down-town restaurant now serving all customers regardless of race.

Prior to its opening last Wednesday, the management of Longchamps assured a delegation from the Coordinating Committee for the Enforcement of the D. C. Anti Discrimination Laws, that no segregation would be practiced there.

With the 10 additional eating places abolishing their policy of segregation, there is now a total of 64 down-town dime and department store lunch counters and restaurants serving colored people. This does not include government cafeterias, all of which serve without segregation, nor the dime stores in other sections of the city where no racial question exists.

Under the chairmanship of Mrs. Mary Church Terrell, noted Washington educator, the Coordinating Committee has fought discrimination in Washington for three years. It brought the complaint and has participated in the Thompson Restaurant Case, now pending in the U. S. Court of Appeals, to test the validity of two 19th century anti-discrimination statutes. The 1873 law making it illegal for an eating place to refuse service to any well-behaved person has already been declared valid by the Municipal Court of Appeals.

While awaiting the decision of the court, the Committee has continued to compile its list through surveys, interviews with restaurant managers and when it has been necessary, by boycott and picketing.

The decision of this case is expected very soon.

WASHINGTON (AP)—The U. S. Court of Appeals, dividing 5 to 4, ruled today that eating places in the Capital may refuse service to Negroes.

The majority held that laws passed by the Legislative Assembly in 1872 and 1873 against racial discrimination cannot be enforced for these major reasons:

1. The anti-discrimination laws weren't valid in the first place.
2. Since they were not enforced labor, in educational institutions, for 78 years, they can only be put into execution now by legislative action.

The case grew out of the refusal of a John R. Thompson Restaurant to serve Negroes. Municipal authorities argued that the 19th century law required that they be served.

Chief Judge Harold M. Stephens wrote the majority opinion. Bennett Champ Clark, Wilbur K. Miller, James M. Proctor and E. Barrett Prettyman concurred.

Judge Charles Fahy wrote a vigorous dissent in which Judges Henry W. Edgerton, David L. Bazelon and George T. Washington concurred.

The case is expected to reach the Supreme Court ultimately. If the Court of Appeals decision stands, operators of Washington eating places may continue to serve or not serve Negroes as they choose.

Negroes now are served in some eating places, but not in others. The majority held that the enactments were not within the power of the Legislative Assembly and further that they were repealed by the District of Columbia code of 1901.

Judge Stephens wrote that since the law lay unenforced for 78 years, "in the face of a custom of race disassociation in the district, the decision of the Municipal authorities to enforce them now, by prosecution by the instant case, was, in effect, a decision of legislative character."

"That is to say," he added, "it was a determination that the enact-

ments reflect a social policy which is now correct, although it was not correct — else the enactments would have been forced — heretofore.

"Such a decision were better left, we think, to the Congress."

The opinion noted: "This Court rules upon the question of their validity alone (referring to the laws) and not upon the question of the wisdom of the policy which they reflect. That question is not within the proper province of the Court."

Judge Fahy wrote in his dissent that "custom has not moved away from equal treatment leaving these regulations derelict of the past."

"Custom has moved toward equal treatment, as is shown by developments of recent years in the government, in the armed services, in industry, in organized labor, in educational institutions, in sports, in the theater, and in restaurants in this community as examples."

"Neither time nor neglect should bar the legislative application to licensed restaurants in this community of the principle which opposed discrimination on account of race or color."

The old anti-discrimination laws were passed when home rule existed in Washington and a legislative assembly enacted laws in the nation's Capital.

But home rule was rescinded in 1878 and the Capital has had no self-government since. The city is run and administered by the Congress.

The Circuit Court majority opinion maintained that since Congress runs the city, Congress should enact the laws.

Segregation in the Capital long has been a stormy political subject. Both presidential candidates last year called for the end of segregation here.

## DINING RACIAL BAN IN CAPITAL UPHELD

### U. S. Court of Appeals Rules, 5 to 4, Washington Eating Places May Bar Negroes

By LEWIS WOOD

Special to THE NEW YORK TIMES.

WASHINGTON, Jan. 22 — The United States Court of Appeals ruled 5 to 4 today that Washington restaurants might legally refuse service to Negroes.

The majority decided that the Legislative Assembly, governing body of the District of Columbia years ago, lacked authority to pass laws of 1872 and 1873 against racial discrimination in restaurants and similar establishments. The court also held that, in any event, the two enactments were repealed by a 1901 codification of the laws.

The Appeals Court made it clear that it was ruling solely on the validity of the laws and not on the wisdom of a segregation policy.

The matter, the majority stated, was better left to Congress. District of Columbia officials said the decision would be carried to the Supreme Court, which is considering school segregation cases in a number of states.

During the day, F. Joseph Donohue called at the White House to hand President Eisenhower his resignation as a District Commissioner. Mr. Donohue said that the President discussed segregation along with other district problems. In the election campaign the new President promised to do what he could to end segregation in district schools and other institutions.

#### Government Pushed Test

The case decided today stemmed from the refusal of a John R. Thompson restaurant to serve a group of Negroes in 1950. The Negroes planned to file suit but abandoned this move when the district government agreed to bring the test.

Chief Judge Harold M. Stephens

wrote the majority opinion, concurred in by Judges Bennett Champ Clark, Wilbur K. Miller, James M. Proctor and E. Barrett Prettyman. A vigorous dissent was presented by Judge Charles Fahy, in which Judges Henry W. Edgerton, David L. Bazelon and George T. Washington concurred.

The majority held that the enactments were "not within the power of the Legislative Assembly" and they had been repealed.

Judge Stephens wrote that the enactments, having been unenforced for seventy-eight years "in the face of a custom of race disassociation in the district, the decision of municipal authorities to enforce them now" was, in effect, a decision of legislative character.

"That is to say," the majority continued, "it was a determination that the enactments reflect a social policy which is now correct, although it was not correct—else the enactments would have been enforced—heretofore."

"Such a decision were better left, we think, to the Congress," the majority said.

Judge Fahy, in the dissent, took the position that "custom has not moved away from equal treatment leaving these regulations derelict of the past."

"Custom has moved toward equal treatment, as is shown in developments of recent years in the Government, in the armed services, in industry, in organized labor, in educational institutions, in sports, in the theatre and in restaurants in this community as examples," he wrote.

The complaint against the Thompson restaurant was quashed by the Municipal Court of the district on the ground that the enactments had been repealed. On appeal to the Municipal Court of Appeals, that body sustained the lower court so far as the 1873 law was concerned, but ruled that the 1873 law was valid.

The Court of Appeals upheld the Municipal Court and reversed the Municipal Court of Appeals on the 1873 law. To buttress its conclusion that the anti-segregation laws were invalid, the appellate court majority pointed out that the Constitution gave Congress the right to "exercise exclusive legislation in all cases whatsoever over the district."

before the Supreme Court. Washington's two legitimate theatres are now open to Negroes after a long dispute. So are three movie houses in the downtown areas. Some hotels permit Negroes to attend private functions, but they do not appear in the main dining rooms.

Congress in 1871 authorized a district Legislative Assembly to help exercise "municipal" powers. However, this plan was rescinded in 1878. The majority held that Congress could not constitutionally and "did not" delegate certain powers to the Legislative Assembly. Segregation has been a big issue in the national capital in recent years. The question whether separation of races in district schools is lawful is one of the con-



in Washington, D. C., cafes—

# Negroes need not be served U. S. Appeals Court rules

WASHINGTON, Jan. 22—(P)—The U. S. Court of Appeals, dividing 5 to 4, ruled today that eating places in the capital may refuse service to Negroes.

The majority held that laws passed by the legislative assembly in 1872 and 1873 against racial discrimination cannot be enforced for these major reasons.

1. The anti-discrimination laws weren't valid in the first place.
2. Since they were not enforced for 78 years, they can only be put into execution now by legislative action.

THE CASE grew out of the refusal of a John R. Thompson restaurant to serve Negroes. Municipal authorities argued that the 19th century law required that they be served.

Chief Judge Harold M. Stephens wrote the majority opinion. Bennett Champ Clark, Wilbur K. Miller, James M. Proctor and E. Barrett Prettyman concurred.

Judge Charles Fahy wrote a vigorous dissent in which Judges Henry W. Edgerton, David L. Bazelon and George T. Washington joined.

The case is expected to reach the Supreme Court ultimately.

IF THE Court of Appeals decision stands, operators of Washington eating places may continue to serve or not serve Negroes as they choose.

Negroes now are served in some eating places, but not in others.

The majority held that the enactments were not within the power of the legislative assembly and further that they were repealed by the District of Columbia code of 1901.

Judge Stephens wrote that since the law lay unenforced for 78 years, "In the face of a custom of race disassociation in the district, the decision of the Municipal Court authorities to enforce them now, by prosecution by the instant case, was, in effect, a decision of legislative character."

"That is to say," he added, "It was a determination that the enactments reflect a social policy which is now correct, although it was not correct when the enactments would have been enforced—heretofore."

"Such a decision were better left, we think, to the Congress."

The opinion noted: "This court rules upon the question of their validity alone (referring to the laws) and not upon the question of the wisdom of the policy which they reflect. That question is not within the proper province of

either the municipal authorities or the court."

JUDGE FAHY wrote in his dissent that "Customs has not moved away from equal treatment, leaving these regulations derelict of the past."

"Custom has moved toward equal treatment, as is shown by developments of recent years in the government, in the armed services, in industry, in organized labor, in educational institutions, in sports, in the theater, and in restaurants in this community as examples."

"Neither time nor neglect should bar the legislative application to licensed restaurants in this community of the principle which opposed discrimination on account of race or color."

## Blow To Home Rule

The first conclusion that stands out from the sharply divided opinion of the United States Court of Appeals in the Thompson's Restaurant case is that it should be carried to the Supreme Court. Four judges, with Chief Judge Stephens as spokesman, decided that the equal-service regulations enacted by the old District Legislative Assembly in 1872 and 1873 are invalid because they went beyond the powers of the Assembly and, in any event, have since been repealed. Four other judges dissented, with Judge Fahy writing the opinion, on the ground that the regulations were only municipal ordinances and that they have not been repealed. Judge Prettyman thought it was not necessary to pass on whether the enactments were general legislation or local ordinances, but he agreed with Chief Judge Stephens that they were no longer enforceable, citing the repeal argument and contending also that they had been abandoned for 75 years by the District authorities. Only a Supreme Court opinion can straighten out these tangled concepts.

It is well to remember that the task of the court was to find and proclaim the law—not to make or alter it. The majority relied heavily upon previous decisions of the Supreme Court and the Court of Appeals, and Chief Judge Stephens made a point of emphasizing that these pronouncements were regarded as authoritative. If the enactments forbidding District restaurants to discriminate against Negroes are regarded as "civil rights legislation," these precedents do, indeed, seem conclusive. In our opinion, however, it is equally valid to regard the equal-service regulations as mere local ordinances, and, as this would permit the regulations to stand if they are not otherwise invalid, it should be the preferred interpretation.

The outcome is of great interest to the District of Columbia because of the present move to enact a home rule bill and let the community make its own rules as to segregation. If the majority opinion should stand, this would be impossible. Presumably Congress would not be able to pass a law transferring power over race relations to a District council without running afoul of the Constitution. It must be admitted that many old opinions point in this direction, but current thinking on the subject is much less restrictive than it was a few decades ago. The voteless thousands of Washington cannot afford to accept this restricted concept of home rule as final until every effort has been made to obtain an authoritative ruling from the highest court.

As to whether the equal-service regulations have been repealed, that question, too, hangs on the nature of these provisions. In adopting the District Code of 1901, Congress repealed all the acts of the old Legislative Assembly, with certain exceptions. One of the exceptions was police regulations. The majority insist that the 1872-73 enactments were not police regulations; the minority assert the con-

trary. These are tenuous threads on which to hang so important a decision.

It seems to us that, in any event, a new policy will have to be evolved, and, of course, that is not the business of the courts. The important thing is that a broad latitude be left to the District to work out its segregation problem, and that would be impossible if the Supreme Court should take as narrow a view of Congress' right to delegate home-rule powers as the Court of Appeals has done.

## Board to Open Pool for All

By ROBERT P. JORDAN  
Post Reporter

Rosedale swimming pool, at 17th and Gales sts. ne., will be open this summer to both white and Negro children, the District Recreation Board decided yesterday in a 4-to-1 vote.

The board's action leaves but one public swimming pool in Washington still operating on a segregated basis—the pool operated by the Recreation Department at 34th st. and Volta pl. nw. Rosedale will open June 15.

The decision caused about half of the 50-odd persons attending the meeting to walk out in bitter protest. Their spokesman, Clifford H. Newell, a past president of the Federation of Citizens' Associations, told the board as they started out, "These citizens are the American citizens of Washington. They want to leave..."

Chairman Dissents

Opening up of Rosedale also brought the dissenting voter, Board Chairman Frank H. Collins, to declare: "It's getting to be a question on this board of whether the white people have any rights."

The board voted on the question only after repeated demands by board member Henry Giehner that a vote be taken. Collins had urged at the outset that action be deferred because two members were absent. Shortly after, he permitted Newell to talk despite the other board members' obvious desire to vote.

Newell asserted that once swimming pools are integrated, they "are not used to any great extent by either white or other people." Then he asked, "Have we reached the point where the social privileges of people can be cast aside and not given any consideration at all by any board of the District of Columbia?"

He told the board it would be

making "a very sad mistake" in placing Rosedale pool on a non-segregated basis.

Asks for Vote

At this point, Giehner asked if he could ask for a vote. Replied Collins: "No, these people can be heard..." Board member Alice C. Hunter then interjected, "This is against board regulations." Recreation Superintendent Milo F. Christiansen spoke up to say that the chairman is bound by the action of the board.

Collins then asked for a motion to permit members of the audience to be heard. None was made. He declared:

"I believe the board is not acting consistently with the public interest, public order and effective administration... This is not a case of who's right, but what's right... In my opinion the board is doing nothing in this action but stirring up and continuing difficulties..."

Board members Collins, Giehner, Mrs. Hunter, Walter L. Fowler, and Edward J. Kelly were present. Absent were Albert E. Steinem and Mrs. O. G. Hankins.

In another action yesterday, the board also voted to place River Terrace playground, at Anacostia and Dix sts., ne., on a non-segregated basis.



# Court's Decision Upholding Jim Crow In D.C. Restaurants Not Surprising

Judges Making Up Majority Opinion Well Known  
For Reactionary Attitudes, Outnumber Liberals

By LOUIS LAUTIER

WASHINGTON (NNPA) —The line-up of the U.S. Court of Appeals for the District of Columbia in the Thompson Restaurant case should not have been surprising to anyone familiar with the composition of that court.

The 5 to 4 decision, holding that restaurants in Washington may legally refuse to serve colored people, was exactly what was expected by lawyers who practice before the court and know its judges.

Chief Judge Harold M. Stephens, who wrote the opinion in which three other judges concurred, is regarded as reactionary in his attitude toward colored people so far as their full enjoyment of civil rights is concerned.

The same thing may be said of Judges Bennett Champ Clark, Wilbur K. Miller and James M. Proctor, and of Judge Elijah Barrett Prettyman, the swing man, who concurred in the result.

It will be remembered that Judge Clark wrote the decision upholding racial restrictive covenants in the two District of Columbia cases which the U.S. Supreme Court reversed, and that Judge Miller concurred in that decision.

Strange as it may seem, Chief Judge Stephens was born in Nebraska, spent most of his life in Utah, and was educated at the University of Utah, Cornell University and the Harvard Law School.

On the other hand, Judge Charles Fahy, who wrote the dissenting opinion in which three judges concurred, was born in Rome, Ga., educated at the University of Notre Dame and got his law degree at Georgetown University. But his liberal attitude in questions of race was known long before President Truman appointed him to the Court of Appeals.

Judge Fahy served as chairman of the President's Committee on Equality of Treatment

and Opportunity in the Armed Services, which did much toward wiping out racial segregation and discrimination in the armed forces.

## Edgerton Opinion

It also will be remembered that Judge Edgerton wrote the dissenting opinion in the District of Columbia racial restrictive covenant cases, the theory of which was that such covenants could not be judicially enforced, and the Supreme Court, in deciding those cases, adopted his theory.

Judge David L. Bazelon and Judge George T. Washington, also concurred in the Fahy opinion, holding that the "Equal Service" Acts, enacted by the District of Columbia Legislative Assembly in 1872 and 1873, were valid, had not been repealed and could still be enforced, and were known for their liberal attitudes toward colored people before their appointments to the Court of Appeals.

D.C.

SHOW GOES ON WITHOUT HER:

## 'First Lady' Snubs

## D.C. Movie Prem

Theatre Plans No Change

WASHINGTON — Meanwhile, James Carter, assistant manager at Keith's, informed Mrs. Mamie Eisenhower's "first formed the AFRO that the policy world premiere as a first lady" of the theatre had "always been took place in Washington with that way" and no changes were out its star performer, the Wash-anticipated.

ington AFRO learned. Jerry Baker, general manager

The event was the opening of the theatre, added that of the new movie, "Never Wave Keith's follows the policy which, at a Wac," set for Wednesday he said, has been set in movie-evening at the lily-white RKO houses all over Washington. Keith theatre in D.C.

"It must be changed in all theatres in the District," he declared. "Keith's couldn't take guests-to-be, along with Gen. the lead."

Omar N. Bradley, Defense Secretary Charles E. Wilson, and others.

## Other Movie-Houses Open

Other movie-houses in Washington which have taken the lead and admit patrons of all races are the Dupont on Connecticut ave., the Little on Ninth st., the Plaza on New York ave. near 14th st., the Playhouse on 15th st., and all houses in the District Theatre chain.

Mr. Hagerty's statement came in answer to a query to the White House from the AFRO where a publicity release on the movie premiere was received on Tuesday.

Knowing the Keith's traditional policy of barring colored persons, the AFRO telephoned the theatre to see if this policy would continue to prevail at the premiere.

## White House Really Surprised

Informed that it would prevail, the AFRO then telephoned the White House and asked if it were aware that the Keith would not admit colored people.

The spokesman who answered the phone at the Executive Mansion registered genuine surprise at learning that this was the case.

The AFRO then wanted to know if, in view of President Eisenhower's professed sentiments about ending segregation in D.C., Mrs. Eisenhower would still attend the premiere. Some time later the reply came from Mr. Hagerty that the new First Lady would not attend.



# U. S. to Continue Its Policy Of No Segregation in Parks

The policy of nonsegregation in Federal parks, playgrounds and other facilities in Washington and throughout the Nation will continue, Secretary of the Interior Douglas McKay has told a visitor.

Elmer W. Henderson, director of the American Council of Human Rights, said yesterday McKay told him he would be governed by President Eisenhower's policy for equality of treatment and nonsegregation in the District.

McKay, according to Henderson, said the Department of the Interior would follow a policy of fair employment under procedures already established. Henderson said he was impressed by McKay's sincerity and believed he would administer the Department on a basis of fairness and equity.

National Capital Parks, which runs District parks and monuments, and the National Park Service, which administers National parks, are in the Interior Department.

Henderson presented six proposals to McKay on behalf of the American Council on Human Rights, which is made up of six Negro fraternities and sororities. The proposals urge that the secretary.

1. Issue a public statement reiterating the department's policy on nonsegregation.
2. Give special consideration to District problems so the department can play a major role in eliminating segregation.
3. Act to correct any blind spots in the departmental policy, such as were disclosed by the Turkey Thicket and Edgewood Playground cases.
4. Adopt a policy that no interior land or facilities be leased for use on a segregated basis.
5. Reiterate publicly the department's nondiscriminatory policy in hiring.
6. Strengthen the fair employment and fair promotion programs within the department.

## 13 States Do Not Require Race or Color On Driver Licenses

CHICAGO (ANP) Some 13 states do not require information about race or color on driver license applications, according to a recent survey made by the Illinois Commission on Human Relations.

Of this numbers, seven formerly required this information, but no longer do, and the remainder never did. Some of the states noted that racial designation serves no useful purpose in efficient operation of motor vehicle departments.

The 13 states which do not require information about race are: California, Idaho, Illinois, Massachusetts, Minnesota, New Hampshire, New Jersey, New Mexico, Ohio, Oregon, Rhode Island, Vermont and Utah.

# Open Cafes to Negroes, Brownell Asks

WASHINGTON, March 10—(AP)—The Justice Department, following up an Eisenhower campaign pledge, urged the Supreme Court today to enforce long-unused laws against racial segregation in Washington restaurants.

Atty. Gen. Brownell, in a brief laid before the high court, tied the issue up with the question of home rule for the District of Columbia. He contended that a lower court decision, throwing out the old laws, would forbid Congress to delegate enough of its law-making power to permit the people of the district to run their own local affairs.

During last fall's campaign, and again in last month's State of the Union message to Congress, President Eisenhower endorsed home rule for the capital and pledged to use "whatever authority exists in the office of the President to end segregation in the district, including the federal government."

Brownell quoted from the message to Congress and at the same time argued that the lower court ruling is "clearly erroneous," intervened as a "friend of the court" in an appeal by the district government. The Supreme Court has yet to decide whether it will even review the case.

The action grows out of charges filed by district officials in 1950 against the John R. Thompson Company for refusal to serve a group of Negroes in a Thompson restaurant here. The action was based on measures passed in 1872 and 1873, shortly after the War Between the States and at a time when the district had a limited form of home rule by act of Congress.

The laws, unused since 1874, provide for fines up to \$100 and revocation of license for any operator of a restaurant, bar or other such place convicted of refusing to serve any "well-behaved, respectable" person on account of race or color.

A Municipal Court judge threw out the charges.

The district officials lost again in the Municipal Court of Appeals and a third time in the U. S. Court of Appeals. It is the U. S. Appeals Court ruling on which the Justice Department is trying to help obtain a final review.

The Court of Appeals, in a 5-4

split decision, held that the old laws cannot be enforced because:

1. They were not valid in the first place because Congress, to which the Constitution reserves "exclusive" legislative powers over the district, could not delegate to the District Assembly the authority to pass "general" laws.

2. Since the laws were not enforced for nearly 80 years, they can be put into operation now only by legislative action.

## Administration Attacks Washington Segregation

THE Eisenhower Administration, faithful to its campaign covenant, has begun its attacks on segregation in Washington with Washington restaurants as the first object. Atty. Gen. Brownell has laid it before the Supreme Court.

This is occasion for *The Advertiser* to make again a point it made several times in the campaign in response to the pokes of the Stevenson press in Alabama, a point which basically differentiates what President Eisenhower and the Stevenson-Sparkman ticket stood for.

On Sept. 17, as well as before and after, *The Advertiser* contended:

The essential difference between Eisenhower and Stevenson on civil rights is this:

*Eisenhower wouldn't change a thing in Alabama. Assuming that he appointed a Negro cabinet member (which is most unlikely either in his case or Stevenson's), that appointment wouldn't change a thing in Alabama. Our system would still be our own exclusive business, not that of a Washington constable.*

Sparkman of Alabama is pledged to help Stevenson wad a dish rag into the mouth of Sen. Hill if he attempts to filibuster against the cops-for-Alabama legislation.

Thus has it come to pass. Regardless of how Alabamians feel about assaults on segregation in Washington, whatever comes of them won't change a thing in Alabama.

There is no violence to the doctrine of states rights in President Eisenhower's action against segregation in Washington, for the District of Columbia is the province of the federal government

and none other.

President Eisenhower does not, as we said during the campaign, share the prevailing Southern racial prejudices and he makes as little of dark skin as did Solomon.

Nevertheless, he is respectful of states rights and, moreover, he has specifically joined hands with the gradualists in testifying that laws are junk when they offend public sentiment.

To the extent that non-segregation cuts against the grain of Washington residents, the President's court action against restaurant segregation is inconsistent and unrealistic.

Since we evidently settled the FEPC issue by rejecting the Stevenson-Sparkman ticket, it is possible to view events in the federal island of Washington with some detachment.

It is an ironic fact that President George Washington appointed a freed Negro slave, Benjamin Banneker, to act as a surveyor in laying out Virginia. But Washington is a quite Southern city, having been carved out of Northern Virginia, and the current circumstance is described in Myrdal's *An American Dilemma*, thus:

In . . . Washington . . . there is more rigid segregation and rejection of Negro patronage in the large department stores than anywhere in the South.

Segregation rigidly applies in the hotels, theaters, schools, YMCA, and even the dog cemetery.

And, further irony, the chairman of Washington's Planning Commission in 1948, when it became an object of attack for preserving residential segregation, was one Maj. Gen. U. S. Grant, III.

The administration has its work cut out for it in undoing segregation in Washington by mere executive action. Changes are happily in progress, but they have to occur in the minds and hearts of people.





**MRS. TERRELL HONORED—** David Rein, attorney for the Coordinating Committee for the Enforcement of the D.C. Anti-Discrimination Laws, passes a cup of punch to Mrs.

Mary Church Terrell, chairman of the committee. The occasion was a reception at Alpha House, Thursday, celebrating the committee's victory in the Supreme Court's

decision outlawing segregation in D.C. restaurants. Honorees were Mrs. Terrell and Mrs. Annie Stein, former executive secretary of the Coordinating Committee.

## Javits Propose Bill To End All D. C. Bias

WASHINGTON —(NNPA)—Representative Jacob K. Javits, Republican, of New York, last Tuesday introduced a bill aimed at wiping out all racial and religious segregation and discrimination imposed by law in the District of Columbia.

The anti-segregation bill offered by Javits is a follow-up of the recent decision of the United States Supreme Court holding valid in 1873 law, enacted by the short-lived District of Columbia Legislative Assembly.

The 1873 Act makes it a misdemeanor for any restaurant to refuse service to any well-behaved respectable person. Violators are subject to a fine of \$100 and forfeiture of licenses.

Javits indicated that his bill also

will serve to implement the 1952 Republican party platform pledge of "appropriate action to end segregation in the District of Columbia." *Chicago, Ill.*

The New York Congressman disclosed that he has already received assurances from Samuel Spencer, president of the Board of Commissioners, "that preparations are in progress so that local governmental officials may implement the Republican party's pledge."

The Javits bill would eliminate racial segregation and discrimination by statute (1) in the educational facilities of the local public school system, (2) among the faculty and school officers of the local public school system, (3) in the school census, (4) in the Columbia Institution for the Deaf and in the education of deaf mutes, (5) in the National Training School for Girls, and (6) in all other provisions of law "inconsistent with this Act."

The effective date of the proposed legislation would be Sept. Javits explained, because it is just prior to the opening of the new school year.

## Restaurants Must End Racial Bar At 8 A. M.

*Post*  
**Police Ordered To Enforce 1873 Law; Hotel Dining Rooms Included**

*P. 1*  
By Matt McDade

The Metropolitan Police Department yesterday was ordered to begin enforcing nonsegregation in Washington restaurants and bars at 8 a. m. today.

In a companion move, Joseph McGarraghy, legal counsel of

the Washington Hotel Association, advised members that in his opinion hotels must open public dining rooms and cocktail lounges to Negroes.

The action followed a Supreme Court ruling Monday. The high court upheld an 80-year-old "lost law" requiring the proprietor or keeper or any "licensed restaurant, eating house, barroom, sample room, ice cream saloon or soda fountain room" to serve "any well-behaved and respectable person."

### Little Change Noted

Washington restaurateurs appeared to accept the end of the color barrier calmly, but the ruling brought little change yesterday in Washington's drinking and eating habits. The Washington Restaurant Association canvassed 50 restaurants and reported "only 10 instances" of Negroes entering places where they formerly were not welcome.

The police enforcement order was issued under Police Chief Robert V. Murray's name after Deputy Chief Howard V. Covell conferred with District Commissioner Samuel Spencer and Assistant Corporation Counsel Chester H. Gray.

Covell emphasized that the department will not attempt to patrol restaurants, bars and hotels. The department will act on complaints only.

### Terms of Order

The order provides: "Upon the complaint of any well-behaved and respectable person that a proprietor or proprietors, keeper or keepers, of an place or establishment referred to in the (1873) act refuse or neglect to comply with provisions of this act, the officer shall summon all interested parties and witnesses to the office of the assistant corporation counsel in the criminal branch of the Municipal Court for a hearing."

The officer must appear in person and follow the case through to its conclusion. The order directs commanding officers to instruct each subordinate "to exercise good judgment, tact and give fair treatment to all parties concerned in any situation arising out of the enforcement of this act."

"In all cases," the order adds, "members of the force shall at all times be impartial in enforcement of the provisions of this act."

Covell said the order was teletyped to the precincts yesterday afternoon.

Earlier, Assistant Corporation Counsel Clark F. King, chief prosecutor at Municipal Court, said he anticipated no prosecutions. The old law provides for a \$100 fine and forfeiture of a license for one year.

McGarraghy's opinion clarified the situation for hotel keepers.

There was considerable uncertainty as to whether the 1873 law applied to public rooms in hotels. In acting on the segregation case, the Supreme Court remanded to the United States Court of Appeals the question of whether an 1872 "lost law," which applied also to hotels, barbershops and bathing houses, is still enforceable or was repealed by the 1873 law.

Chief Corporation Counsel Vernon E. West told McGarraghy that he interpreted the 1873 law as meaning hotel dining rooms and bars, too. After a meeting of the hotel association directors yesterday afternoon, McGarraghy informed West that the hotel association would comply, and he sent telegrams to the member hotels.

McGarraghy said he also interpreted the law as applying to hotel dancing rooms where food and drink are served.

Meanwhile, the Washington Restaurant Association cleared up another aspect of the old law which had caused confusion. One section requires price lists to be posted on the premises and filed with the District Government.

John S. Cockrell, association secretary, said members were notified the counsel considered posting of menus in conspicuous places "sufficient compliance."

Cockrell said the association did not recommend the filing of price lists with the District Government because it is "not" feasible and the regulation may be obsolete. For the time being, he said, the association "is assuming that members don't have to file."

Restaurateurs' reaction to the color barrier ranged from



relief that the issue is settled to blunt acceptance of a new order: "It's the law, and we'll comply." Only a few restaurants reported that any white waiters or waitresses planned to quit.

Samuel Levine, counsel for the Hotel and Restaurant Workers Alliance, said, "Management of union hotels and restaurants can depend on its employees for complete cooperation in the observance of the non-discrimination law."

## MERRY-GO-ROUND

# Heap Big Bunch Feathers Fool The Senators

## Chief Rising Sun, Who Pleaded For Yakimas, Put One Over On Senators: He's No Indian

BY DREW PEARSON

WASHINGTON

THE SENATE appropriations committee was so dazzled by the feathers and trappings of a recent witness, Chief Rising Sun, that the senators listened solemnly while he pleaded the cause of the Yakima Indians—without once suspecting that he wasn't an Indian at all, but an overdecorated, Negro ex-bellhop.

The big chief, whose Senate performance got him a full-page picture with feathers bristling in Life magazine, is otherwise known as Alzamon Ira Lucas. His birth certificate shows that he was born on Nov. 11, 1878, of Negro, not Indian, parents.

How he happened to show up in the Senate in chief's headdress and Indian costume as spokesman for the Yakima Indians is something the Yakima Indians would like to find out. Actually, the Yakimas have a problem at their happy fishing grounds back in Oregon. The government is planning to build The Dalles dam, which would flood Celilo Falls and wipe out the tribe's fishing grounds.

Somehow Lucas heard about this and offered the tribe his services. He proposed organizing a mass meeting in Washington and another at Madison Square Garden in New York to protest the dam construction. The Yakimas were skeptical and declined to hire him.

The next thing the Indians knew, Lucas was prancing in front of the Senate appropriations committee as Chief Rising Sun, dramatically denouncing The Dalles dam. The senator who arranged Lucas' appearance, it turns out, was California's sympathetic Bill Knowland. Apparently some of his staff members were impressed with the big chief's fancy feathers.

ADDED TO IKE'S other troubles, Negro leaders are irked over the brushoff the new administration has been giving them.

They point out that out of 134,000 non-civil service jobs, Republicans so far have appointed only one Negro, then only to replace another Negro. She is Mrs. James Spaulding who succeeded Mrs. Mary McLeod Bethune as an assistant at the Department of Health, Welfare and Education.

Colored leaders complain that, out of 1,500 federal departments, agencies, boards and commissions, not a single one is headed by a Negro. In fact, only three Negroes hold any post at all—one on the obscure Campbell Commission and two on the Fair Employment Practices Board of the Civil Service Commission. Out of 30,000 "supervisory" jobs in all branches of the federal government, including Congress and the courts, only 22 Negroes are in positions of authority, they say, and two of these are congressmen elected to their jobs.

Negroes expected one of their race to be appointed ambassador to Haiti and to one of the three new judgeships in the District of Columbia, but all Negro candidates were bypassed. Negro leaders say they plan to make this a political issue for the party of Abraham Lincoln.—C

## Mrs. Phillips Hits Interracial Use of School Playgrounds

By Jeanne Rogers

Post Reporter

Mrs. Frank S. Phillips, vice president of the Board of Education, yesterday went on record as opposing the Recreation Board's policy of using some District school buildings and playgrounds on an interracial basis after school hours.

Her objection was expressed during an otherwise routine meeting of the school board's Buildings and Grounds Committee, going through the formality of setting up Noyes School as a unit in the Negro division of the school system. The former white school was transferred to Negro use this summer.

Mrs. Phillips, committee chairman, said it didn't seem logical to her that the Recreation Board could authorize integrated play and craft programs in buildings such as Noyes which the school system maintains on a segregated basis, according to the "spirit of the law."

She told reporters she didn't intend to press the matter, but merely wanted to put her opinion on record. Miss Mary Parker, the school board's representative on the Recreation Board, said she herself has not been concerned about this practice.

Earlier, the Legislation Committee voted unanimously that driver training instructors should not be exempted from the present law requiring all high school teachers to hold a graduate degree.

Walter N. Trobiner, board member who served on the committee which argued the question often last term, declared: "It offends my common sense to feel that an automobile teacher has to have a master's degree."

New committee members.

Mrs. Margaret J. Butcher and Rowland F. Kirks—both of whom hold doctorates—and Col. West A. Hamilton, however, agreed with school administrators that there is more to driver education than the "skillful manipulation of the automobile." Hamilton said the pay of high school teachers is geared to the MA requisite, adding: "We can't have a set of teachers who are neither fish nor fowl." The full school board will act on the committee recommendation during its first regular meeting Wednesday.

Other committee action yesterday included: A proposal to knock out the war clause in the Teachers' Retirement Act to credit military service time to personnel who served in the Korean fighting, setting a special meeting Tuesday with members of the athletic departments to discuss a request for extra pay for teachers assigned to after-hour coaching duties.

## NAACP Wants Segregation Ended At Post Offices

WASHINGTON, Oct. 1 (P)—The National Association for the Advancement of Colored People has asked Postmaster General Summerfield to eliminate all racial segregation among Post Office Department employees and patrons.

In a letter made public today, the association supported a protest by John Leary of its Mobile Ala., unit that segregation exists in locker rooms and job assignments throughout the South.

Clarence Mitchell, director of the association's Washington bureau, said practices of racial exclusion

extend as far north as Washington and Baltimore.

He reported that some Negroes are excluded from the cafeteria in the main Post Office building in Baltimore. In Washington, he said, there is some unofficial pressure exerted to keep Negroes in a Post Office cafeteria of their own.





**AT TERRELL LUNCHEON**—Paul Robeson (right), noted singer, was among the hundreds of well-wishers who attended the birthday luncheon for Mrs. Mary Church Terrell (left), 90, at the Hotel Statler on Saturday. Mr. Robeson and his wife, Mrs. Eslanda Robeson, donated \$90 to the Mary Church Terrell Fund to End Segregation in the Nation's Capital.

## Donors give \$5,200 to end D.C. searecation

WASHINGTON  
Donations of \$5,200 in cash and pledges for the Mary Church Terrell Fund were announced Saturday, following a birthday luncheon honoring 90-year-old

Mrs. Terrell at the Hotel Statler. Goal of the fund is \$50,000 to be used in aiding organizations seeking to end racial segregation and discrimination in the Nation's Capital. It is hoped that through these

efforts all jim crow in Washington will be abolished by Mrs. Terrell's 100th birthday, which will also be the 100th anniversary of the Emancipation Proclamation. **700 Attend Luncheon**  
More than 700 guests, many of

them from out of town, attended the luncheon on Saturday, which was arranged by a committee of local citizens, headed by Mrs. Geneva Valentine, who presided.

Speakers included Walter White, executive secretary of the NAACP, and Federal Circuit Court Judge William H. Hastie of Philadelphia.

Judge Hastie announced after paying tribute to Mrs. Terrell, that the Co-ordinating Society of Philadelphia will honor Mrs. Terrell with its diamond cross award on Dec. 30. Other recipients of the award have included Ralph Bunche, Branch Rickey, Mary McLeod Bethune, and Marian Anderson.

### Cited By Bar Association

At the luncheon, Mrs. Terrell also received a certificate of merit "for ceaseless and zealous effort" from the National Bar Association. The presentation was made by Mrs. Annie Stein, now of New York City.

Mrs. Stein was previously executive secretary of the Co-ordinating Committee for the Enforcement of the D. C. Anti-

Discrimination Laws of which Mrs. Terrell is chairman.

Mrs. Terrell, in her remarks, paid tribute to Mrs. Stein and other members of the Co-ordinating Committee for their "untiring work" in the "long campaign—the longest and hardest campaign of my long career," which ended when the Supreme Court outlawed discrimination in D.C. restaurants this past June.

### Faith In Democracy

Wearing a two-piece blue dress which complimented her snowy hair, Mrs. Terrell also cited the recently-announced open-door policy of D.C. movie houses and urged her listeners to help continue to break down barriers which prevent the United States from being the "home of democracy."

Mr. White, in his speech, remarked that "There are those who say that there will be trouble if the courts, administrative officials and legislative bodies, backed by public opinion, move further towards abolition of racial segregation and discrimination."

"But," Mr. White stated, "I happen to have such abiding faith in democracy, itself, that I do not believe professional bigots can stay the course of human freedom."

### Clean Up Augean Stables

"Let us here highly resolve," he added, "to step up the business of cleaning the Augean stables of democracy which re-

main to be cleansed."

An appeal for funds was made toward the close of the luncheon by the Rev. Arthur F. Elmes, minister of People's Congregational church, who was a co-complainant with Mrs. Terrell in the Thompson Restaurant case.

The Rev. Mr. Elmes read a sonnet dedicated to Mrs. Terrell and written by Georgia Douglass Johnson, local poetess.

### Solo By Mme. Evanti

Incidental music at the luncheon was provided by the Howard university string ensemble, conducted by Louisa Vaughn Jones. Mme. Lillian Evanti, soprano, sang an original composition written from the words of Christina Rossetti's poem, "The Birthday."

Trustees of the Mary Church Terrell Fund to End Segregation in the Nation's Capital are:

Mrs. Terrell, Mrs. Luke I. Wilson, the Rev. Mr. Elmes, Dr. Charles S. Johnson, president of Fisk university; James M. Nabrit, secretary of Howard university; and Dr. Fred D. Patterson of the Phelps-Stokes fund.

Serving without compensation, the trustees will have sole control in deciding how the money is to be used and what organizations or causes will receive support.

### '90' donations asked for Terrell Fund

Address of the Mary Church Terrell Fund to End Segregation in the Nation's Capital is Post Office Box 6002, T st. Station, Washington.

Individual, organization, and group donations of 90 are requested, marking the 90th birthday year of Mrs. Terrell, champion of equal rights in the capital. Donors are asked to give 90 nickels, or \$4.50; 90 dimes, or \$9; or 90 quarters, or \$22.50; 90 \$1's, or \$90, and so on.

Ten-year pledges payable in annual installments, may also be made.



# Announces End Of Jim Crow

## New Policy Becomes Effective November 16

By ALICE A. DUNNIGAN

WASHINGTON—(ANP)—The District government, keeping pace with federal policy, announced last week that beginning Nov. 16 all new contracts to which the District of Columbia is a party will contain a clause requiring contractors to prohibit all forms of discrimination in employment.

The announcement was made by Samuel Spencer, president of the board of commissioners of the District of Columbia, in a letter addressed to Vice President Richard M. Nixon, chairman of the President's Committee on Government Contracts.

In absence of Vice President Nixon from the country, the letter was presented in person by the Board of Commissioners' president to the Secretary of Labor William Mitchell, the highest ranking member of the President's committee in the city.

In commenting on this new order before the press-radio television news conference in the Secretary's office, the commissioner pointed out that the clause to be inserted in District contracts is identical to the one placed in all federal contracts back in 1941 or 1942. It states:

"In connection with the performance of work under this contract, the contractor agrees not to discriminate against any employee or applicant for employment because of race, creed, color or national origin; and further agrees to insert the foregoing provisions in all sub-contracts hereunder, except sub-contracts for standard commercial supplies or for raw materials."

The effort of this order is to bring the practice of the District government completely into line with that of the federal government with respect to this matter, declared Spencer.

The commissioner declared that this is the first step in a series of orders which the District government is preparing to clear up racial discrimination in the local government.

Although Spencer would not comment on future plans, it is rumored that the local government, supported by the White House, will issue within a few days a fair employment practices order in the government of the District of Columbia.

The contract order issued Monday was the result of conferences held between members of the President's Committee on Government Contracts and members of the board of the commissioners.

Spencer claimed that he did not know that the District government contracts lacked a non-discriminatory clause until it was brought to his attention by the President's committee.

When a reporter asked the commissioner if it is to be assumed that there has been discrimination in employment in the past, he only replied that reporters would have to draw their own conclusions. In a community like this, he added, undoubtedly there have been some contractors practicing discrimination.

When asked if this new order would affect utilities which sell services to the District government such as the Capital Transit company and the telephone company, the commissioner only stated that the clause would be inserted in all new contracts, but no attempt would be made to negotiate contracts already signed. This question would have to come up when the old contracts expired and new ones were required.

It has been rumored, however, that the new District FEPC order, which is now being drafted, will affect the two controversial utilities now under fire because of their bias policy in hiring.

Spencer estimated that the new contracts would affect about \$30,000,000 worth of contracts in addition to about \$5,000,000 purchased with federal aid. The greatest amount of money for contracts will be used for construction including buildings, sewers and water facilities and highways. The remainder are contracts for various supplies, he said.

Violation of contracts, said the commissioner, would perhaps be handled the same as any other violation on the law in D. C. Complaints of discrimination would no doubt go to the corporation counsel and he would attempt to see if he could work out some sort of agreement to remedy the problem.

The District subcommittee of the President's Committee on Government Contracts is headed by John Roosevelt, and includes Secretary

Mitchell, Mrs. Helen Rogers Reid, AFL president George Meany and CIO president Walter Reuther.

Neither of the labor leaders was present at the meeting when this order was approved according to Spencer. The order was unanimously passed by those members present including the other members of the D. C. subcommittee, the D. C. Commissioners and Maxwell Rabb, White House representative.

## Courier Editorials

### Washington Emancipation

NOVEMBER 16 will be another red letter day in the gradual emancipation of Washington, D. C. from the thrall of jim-crowism.

According to James P. Mitchell, Secretary of Labor, a clause banning racial discrimination will be put into all contracts made by the municipal government beginning from that date.

This is in accordance with President Eisenhower's pledge to end racial discrimination in the nation's capital.

The contracts affected total \$30 million yearly and they will all contain the anti-discrimination clause. The Federal Government has been using in its contracts since 1941, but which the President's Committee on Government Contracts has just called to the District commissioners' attention.

Samuel Spencer, president of the District Board of Commissioners, has announced that it is working on a general order dealing with discrimination in employment and segregation in certain District institutions.

There can be no doubt that this further activity to end jim crow in Washington, D. C., has been initiated by the President, and there is every reason to assume that Mr. Eisenhower will see to it that the orders are enforced.

With so much having been accomplished within ten months toward carrying out the President's campaign pledge to do away with jim-crowism in Washington, one cannot help but wonder why it wasn't done during the administrations of Franklin D. Roosevelt and Harry S. Truman.

Both these former Presidents, espe-

cially Mr. Truman, rung the changes about justice, fairplay and civil rights, but jim crow remained king in the District of Columbia until Mr. Eisenhower took office.

Now we are getting much action, but very few words, and that is as it should be.

We had become fed up with generalizations, platitudes and cliches.



## Home Rule Also at Stake

## Supreme Court Agrees to Review Thompson Restaurant Case Involving Segregation

By Chalmers Roberts  
Post Reporter

The Supreme Court yesterday agreed to review the Thompson Restaurant case which involves both racial segregation in Washington restaurants and the right of Congress to grant the city home rule.

An order set arguments before the court for April 27. A decision before the justices quit for the summer in June is likely though not certain.

Thus the high court now has under consideration two major racial issues: the legality of the "lost laws" of 1872-73 which forbade restaurant discrimination, and the Constitutionality of the District's segregated school system. A decision in the school case, argued last December, could come on any of the remaining half dozen decision Mondays of this term.

In agreeing yesterday to hear the case and by setting lawyers' arguments for April 27, the

Court accepted the joint request of the Federal and District Governments for quick action.

In a 5-to-4 decision in January, the full Court of Appeals here ruled invalid the old laws, enacted by a Legislative Assembly then in operation as a city council. The majority held that Congress lacked the power under the Constitution to delegate to a local government authority to enact "general legislation" for the city and that anti-discrimination laws fall within that classification.

The minority of four judges held the acts valid when enacted and not repealed despite non-use for many decades.

In joining the District in requesting the Supreme Court review, Attorney General Herbert Brownell, jr., declared the issues involved were of "large national importance."

The Federal Government's main argument in asking the Supreme Court review was

based on the home rule aspect but it was linked to President Eisenhower's campaign pledge, repeated since entering the White House, to use his power to end segregation here.

The "lost laws," among other things, provided a \$100 fine and forfeiture of license of any restaurant which refused to serve all respectable well-behaved persons without regard to race, color or previous condition of servitude. The laws were "lost" in a recodification of District statutes at the turn of the century and "discovered" in 1948 by the National Committee on Segregation in the Nation's Capital.

The test case of the law grew out of the refusal of Thompson's Restaurant at 725 14th st. nw. on July 27, 1950, to serve two Negroes, Mrs. Mary Church Terrell and the Rev. Arthur E. Elmes, and a white diner, Miss Jean J. Williams.

January 2 which questioned—but did not supply the answers—whether McCarthy had misused money received for anti-Communist activities or otherwise "abused" his office for financial gain.

The Privileges and Elections subcommittee, then headed by Sen. Thomas C. Hennings (D-Mo.), had sent a copy of its report and a six-foot stack of documents dealing with it to the Justice Department and the Internal Revenue Bureau "for any action deemed appropriate." Neither agency has said what steps it may be taking, if any.

In response to an inquiry yesterday, the Justice Department said the subcommittee's report "is still under active consideration in the Criminal Division."

Open Hearings Planned  
On 'Influence' Allegations

By the United Press

Sen. Joseph R. McCarthy said yesterday his investigating subcommittee will hold public hearings next week into alleged "influence peddling" in tax cases by a West Coast publicity man. He said Russell Duke, a public

relations consultant from Portland, Ore., and San Francisco will be called. Duke's activities have previously been investigated behind closed doors by McCarthy's subcommittee and a

House Judiciary subcommittee investigating the justice Department.

McCarthy also announced that the subcommittee staff had been directed to look into the "general picture" of tax exemption status of foundations.

McCarthy said the subcommittee wants to find out how much revenue is lost to the Government by the tax exemption given the foundations and a "general picture of how their funds are used."

A House committee headed by the late Rep. E. E. Cox (D-Ga.) investigated foundations last fall. McCarthy said he is studying the House group's hearings. He said a decision of whether the Senate subcommittee will go into the question will be made when the staff investigation is completed.

McCarthy also said that two investigators are now in Europe making an on-the-spot tour of the State Department's overseas information centers. McCarthy's group is making a broad inquiry into the Department's international information administration which runs the information centers and the Voice of America.

He said the subcommittee would probably make a report on its HIA findings before the Senate Appropriations Committee acts on the agency's budget request for next year.

High Court  
Studies DC  
Constitution  
Racial Case

New York Times News Service  
Special to The Atlanta Constitution  
WASHINGTON, May 1—The Supreme Court took under advise-

D.C.

ment today the question of whether laws enacted 80 years ago to prevent racial discrimination in restaurants in the District of Columbia are still valid and constitutional.

The case arose out of the refusal in 1950 of a John R. Thompson Company restaurant to serve three Negroes. The laws under which it was brought were passed in 1872 and 1873 by the legislative assembly during a brief period in which the district had a limited form of self-government.

With the Thompson case under advisement, the Supreme Court now has six cases involving racial segregation awaiting decision. Five of them involve segregation in the public schools of South Carolina, Virginia, Kansas, Delaware and the District of Columbia. They were argued in December. If customary procedure is followed opinions in all six cases will be handed down before the court term ends early in June.

Ringgold Hart, lawyer for the Thompson Company, asked the high court today to sustain a ruling of the U. S. Court of Appeals here that the 1872-73 laws had been repealed "by implication" and were unconstitutional on grounds of improper delegation by Congress to a lesser legislative body of power to pass general legislation.

D. C. Antiracial  
Laws Operative  
High Court ToldDistrict Files  
Brief in Case  
Of Segregation  
In RestaurantsBy Joseph Paull  
Post Reporter

The District Government told the Supreme Court in a written brief yesterday that Washington's anti-discrimination laws are still in force and are designed "to give Negroes their full rights as citizens."

The arguments were made in a 37-page document filed in the Thompson Restaurant segregation case which now is scheduled to be argued on Thursday or Friday.

The outcome of the case may decide not only whether Negroes have a legal right to be served in any public restaurant here but possibly may also decide the fate of any future home rule legislation.

## Board of Trade Files

Meanwhile, a surprise brief was filed on behalf of the influential Washington Board of Trade. The group asked to enter the Supreme Court arguments and urged that the "lost" 1872-1873 ordinances be struck down as invalid.

The Board of Trade brief, submitted by Attorneys E. F. Colladay and D. C. Colladay, states: "Reimposition now by judicial fiat of this long-dead regulatory legislation, whether through the means sought herein or otherwise, without due legislative process would, we respectfully submit, constitute an unwarranted blow to the business community

of the Nation's Capital." The laws reversed him. Other briefs have been filed by the Justice Department and "respectable and well-behaved" persons. Then, in 1950, the Corporation Counsel filed a Municipal Court decision. Both ask the court to uphold the enactments making it a crime to bar Negroes from Washington eating places. The laws involved were passed by the Washington legislative assembly, but were not enforced Municipal Court of Appeals

subsequent to 1873. The laws reversed him. Judge Myers Upheld

On January 22, 1953, the United States Court of Appeals upheld Judge Myers in a split decision. In its appeal to the Supreme Court, the District argues the legislative assembly was empowered to pass the laws. The brief states: "The purpose of the Founders



in vesting in Congress exclusive legislative authority over the District of Columbia was to exclude the States from participation in the government of the Capital City. But the founders did not intend to burden Congress with the management of the purely local affairs of the District of Columbia. They assumed that Congress would provide a municipal legislature for local purposes to perform that function."

The Justice Department's brief opposes the view of the United States Court of Appeals judges who said the Congress lacked power to give the legislative assembly powers to make the laws. It declared:

"There is no rule of constitutional law which denies a state power to delegate authority to a municipality to enact 'general legislation.'"

In its petition to the court, the NAACP says, "The elimination of racial discrimination in places of public accommodation in the District of Columbia is especially significant to America's progress toward full equality for all persons."

## Blyen Hails Lifting Of Cafe Ban

### WASHINGTON

The ending of discrimination in Washington restaurants will do much to promote better relations between the U.S. and Africa.

The speaker was Edward W. Blyen 3d, native of Sierra Leone, Africa, who is studying here in America.

Mr. Blyen, a grandson of a former Liberian Secretary of State, is a Ph. D. degree candidate in political science at Harvard University.

Chairman of the Association of African Students in the U.S. and Canada, he was among some 80 African students attending a three-day meeting at Howard University.

The idea of the meeting is to "sell America" to more African students.

## Board Of Trade Wants To Preserve D. C. Jim Crow

WASHINGTON, D.C. (NNPA)—The Board of Trade, a lily-white organization of Washington business men, desires that enforcement of the Equal Service Acts of 1872 and 1873 would "impose burdens of unknown magnitude on Washington business as well as disrupt business planning."

That is what the Board of Trade says in a brief which it asked the United States Supreme Court last Friday to allow it to file in the Thompson Restaurant case as a friend of the court.

THE BOARD OF Trade says it is concerned in the appeal from the decision of the United States Court of Appeals here, holding that Washington restaurants may legally refuse to serve colored people, because it raises a question of the determination of which may materially impact the status of the District of Columbia under the Constitution.

The organization points out that it has consistently taken the position that under the Constitution the Congress cannot delegate its authority to legislate for the District of Columbia, despite the "great desire" of local residents to have representation in the Congress and participate in the passage of laws for their government.

THE BOARD STATES that it "revolts" at the use of the "long-neglected" Equal Service Acts, passed by the Legislative Assembly which existed only from 1871 to 1874, in determining the constitutional status of the District of Columbia.

Until such status has been determined, either by decision of the Supreme Court or by amendment of the Constitution, the Board of Trade asserts, Congress cannot and will not grant to local residents self-government on a national or local level.

The real issue before the court, the board adds, is whether the "dead hand of long ago is now, more than seventy-five years later, to be revitalized

and laid upon an economy of a modern metropolitan community of international proportion and importance."

REIMPOSITION OF the requirement of non-discrimination in licensed public places by judicial fiat, the Board of Trade asserts, would constitute "an unwarranted blow to the business community of the Nation's Capital."

The brief was signed by Edward F. Colladay, general counsel of the Board of Trade and a former Republican National Committeeman for the District of Columbia.

## Segregation decision

By Doris Fleeson

WASHINGTON—In postponing their decision on the general practice of segregation in the United States, the august justices of the Supreme Court appear to be deferring to time and circumstance.

Should they hand down their decision when they return to the bench this Fall following their Summer meditations, Congress in all probability will not be here. Individual members will speak up in any case, of course, but their outcries will not have the same resonance as when they are delivered against the Capitol sounding board.

Should the decision be further postponed until next year, it will coincide with the midterm election campaign. This thing would be fatal to the fence-sitters in the Congress and would force the Eisenhower administration to take a stand.

THE COURT, of course, cannot be blamed for taking plenty of time on so momentous a question. Whichever way they go, their decision in the pending cases must necessarily be revolutionary. It will be bound to echo down the political corridors for years, affecting not only situations within states but possibly the lineup of the major parties. Politically speaking, the out-of-power Democrats are getting the breaks of the situation. Whatever the court does, the next move will be up to the Republican administration.

With what may be undue optimism, Democratic leaders suggest they will be able to stand aside as a national party. At the very least, they insist, there will be time for any explosion to subside before they must go into a national convention.

Although the court's new blow against segregation in the District of Columbia is restricted in its application to that comparatively small area, foes of discrimination are jubilant about it for many reasons.

They have felt passionately that the nation's capital in these times could not afford segregation in any sense, including the international.

They note with pleasure that the new opinion was unanimous.

The decision has improved prospects for D. C. home rule. This represents a very handsome dividend for the anti-segregation forces in Washington who are strongly for district self-government.

Most important, the decision Monday carries on in the general trend of the court's opinions which has been uniformly in the direction of equality, political, economic and social, for all races. Any break in this pattern would be viewed with alarm by those opposed to segregation. Conversely, their hopes rise ever higher with each court decision that reinforces the trend.

TO POLITICIANS a provocative aspect of the forthcoming segregation decision nationally is the effect it will have on Republican prospects in the South. There have not as yet been any very clear indications of the degree to which Eisenhower's smash victory last November reinforced the GOP below the Mason and Dixon Line.

Democrats claim they never have got along so well as now and certainly in the Senate and House the rancors of the recent past seem largely forgotten. The national committee is also making a special effort to keep the peace.

Republicans assert that they are building a southern party and will do even more of it when once get the patronage wheels properly

They expect to make a real drive in states next year, even to the point they may pick up a senator there.—C



# Ike Includes End of D. C. Segregation In 10 'Deeds'

*Post.*  
**Stresses Intention  
For Harmony With  
Congress in Talk**

**At Mt. Rushmore**

*June 6-12-53*  
**By Edward T. Foillard**

*Washington*  
**Post Reporter**

**MT. RUSHMORE NA-  
TIONAL MEMORIAL, S. D.**

June 11. — In listing 10 "deeds" of his Administration to date, President Eisenhower today cited its part in ending racial segregation in Washington restaurants.

He said this and other achievements were part of a "forward movement" in Government.

The Chief Executive spoke before a national convention of Young Republicans here in the Black Hills of South Dakota, a huge rally which had for a backdrop the colossal granite heads of Washington, Jefferson, Lincoln and Theodore Roosevelt.

He said his Administration was "young in spirit" and had brought "a change in Washington."

He made it clear, too, that he had no intention of changing his present methods of dealing with Congress, which he said consisted of "patient persuasion, sound argument, and friendly contact." He said the Government must not get caught in "a crossfire" between a warring White House and Capitol Hill.

In leading up to the segregation issue in Washington, General Eisenhower said:

"We have taken substantial steps toward insuring equal civil rights to all of our citizens regardless of race or creed or color. These actions have been designed to remove terrible injustices rather than to capture headlines."

"They are being taken, quiet-

ly and determinedly, wherever the authority of the Federal Government extends. Action has been taken in Army camps and schools.

"And in the District of Columbia, before the bar of the Supreme Court, the Attorney General has successfully appealed for the upholding of laws barring segregation in all public places in our National Capital."

(The Supreme Court ruling made it unlawful for Washington restaurants to deny service to any person because of race. The question of whether hotels, barber shops and bathing houses are included in the ban was left to the United States Court of Appeals for decision.)

General Eisenhower's remarks were a reminder that his Administration will be called on later to take a stand on the school segregation cases before the Supreme Court. The High Tribunal this week announced it would postpone a decision in these cases until it can get further information, and it Attorney General Herbert Brownell to come before it with the Administration's views.

## Harmony With Congress

In talking to the Young Republicans today, the President seemed aware of the criticism that has been aimed at him for not being more positive in his dealings with Congress.

He made it clear that he is proud of the fact he has not quarreled with Congress.

He said he had shaped the relations between the executive and the legislative branches in a spirit of constructive purpose, and went on to say:

"I have had the pleasure of meeting at the White House with every Senator and almost every Congressman of both parties, a number of whom, though veterans in Government, had never before entered the White House."

"These meetings have reflected a major purpose of this Administration. It is this: To do all that it reasonably can to encourage cooperation and harmony between the legislative and executive branches. For only such harmony can advance coherent, consistent policies at a time when all the world must be made aware of America's steady direction and aims."

## Sees Electoral Mandate

"I believe that an essential

part of last year's electoral decision was the people's serious summons to restore balance and order and sense and continuity to our national policies. In this, the Chief Executive and his Cabinet heads have special responsibilities of leadership. But they can achieve needed results only by patient persuasion, sound judgment, friendly contact.

"Government must not allow its policies to be caught in a fatal crossfire of a Congress and an executive warring upon one another. Such a condition is not going to prevail if it is within the power of this Administration to prevent it. For our very form of government is in peril unless each branch willingly accepts and discharges its own clear responsibilities, and respects the rights and responsibilities of others."

"There is no compromise in principle involved in seeking to adhere to effective—to say nothing of constitutional—methods in government. To every idea, to every specified measure, that this Administration has ever endorsed—or to which I subscribed last summer and fall—we continue and shall continue to give our unswerving support..."

General Eisenhower said that what has been done so far was achieved by ways and means that, while not new in our history, "have been long too long out of fashion in our Government."

He continued:

"First, one fact, I think is particularly meaningful to you: this Administration is profoundly young in spirit. Perhaps in this, more than anything else, I can say to you: there has been a change in Washington."

"The men directing the work of this Administration are uncompromised by years of political promises and campaign oratory. They are not prisoners of their own mistakes or their own stale habits of handling public affairs. They are busily—freshly—youthfully—at work."

"Secondly, another new quality in the working of this Administration is reflected in the role of the Cabinet. The Cabinet can be whatever kind of body the Administration wants. It can, on the one hand, be a score of heads that do nothing but nod, in neat array—a kind of agreeable approval of everything proposed by the President. It

can be, in the other extreme, a babal of discordant voices in which the prize of decision is won by the loudest voice.

"The present Cabinet, I assure you, belongs to neither of these futile extremes. It is a group of capable and purposeful individuals. They give advice candidly and thoughtfully, speaking their several minds

freely and lucidly to but one purpose—to offer the best, the wisest programs within their powers for all our 160 million citizens."

Though he did not hesitate in saying that his own administration is doing a better job all along the line than did the Truman Administration, General Eisenhower made only one direct reference to the Democratic opposition.

He said some members of the opposition, with volumes of anguished oratory, "will proclaim their grief over all we do."

## Defends Foreign Policy

"We must be philosophic and patient about all this," he said. "For this sound-and-fury also is a characteristic element in our two-party system. And we must keep our sense of humor always—for, since time immemorial man has heard no cry more agonizing than that of the deposed bureaucrat or the demoted politician."

In listing the 10 deeds of his administration, General Eisenhower started off with foreign policy. He said it had worked, not only to strengthen the free world against threatened Communist aggression, but also to "encourage strains and stresses within the ranks of the 800 million in the Soviet world..."

He mentioned the recent Dulles-Stassen trip to the Middle East and South Asia, and noted that his brother, Dr. Milton Eisenhower, soon will go on a good will trip to South America.

## List Achievements

He said the Administration's revised defense plans—projected ahead for a continuing, not an intermittent, time of crisis—was more realistic for our times.

Other achievements which he listed were: removal of price and wage controls; shrinkage of the Federal Government expenses, with a reduced budget and a payroll smaller by 50,000 individuals; creation of a new

Cabinet office, the Department of Health, Education and Welfare, a review of Federal-State relations and the tidelands oil legislation; setting up security regulations to weed out the unworthy in the Federal Government, and the Justice Department's attack on crime and corruption.

In discussing the campaign against crime and corruption, General Eisenhower made a remark that made some in his audience wonder if he were taking a crack at the old Kefauver committee.

"This attack," he said, "cares more for the substance of the results it achieves than for the size of the television audience it commands."

## Addresses 5000 at Dam

The President awoke at 7 a. m. today in his penthouse suite in the Clarence Parker Hotel at Minot, N. D. At 8:50 he set out by motor for the Garrison day, a tremendous project on the Missouri River which will

provide flood control, irrigation and power. It was started by the Army Engineers in the Truman Administration.

Addressing a crowd of 5000 at the dam, General Eisenhower gave his philosophy about the role the Federal Government should play in such undertakings. He said it was a necessary role, but he warned against Uncle Sam taking over too much from the State and free enterprise.

He quoted Lincoln as saying: "The legitimate object of Government is to do for the community of people whatever they need to have done but cannot do at all or cannot do so well. In all that the people can individually do so well for themselves, Government ought not to interfere."

"So far as I am concerned," General Eisenhower said, "I am going to make no attempt to improve on Mr. Lincoln's philosophy."



# Cafes In Washington Calmly End Negro Ban

By ROBERT L. RIGGS

The Courier-Journal Washington Bureau

Washington, June 9.—Residents of the capital took in stride today an important milestone in the relations between the white and Negro races—a Supreme Court ruling that restaurants, bars, and cafes in the District of Columbia may not refuse service to a prospective patron because of color.

Newspapers, officials of the District of Columbia's Government, and the organization of restaurant operators called on both whites and Negroes to show restraint.

## To Use Routine Methods

The District's Government announced it would delay until tomorrow its efforts to enforce the ruling handed down by the high court yesterday. When enforcement does start, it will be through routine police methods rather than by flying squads of police instructed to see that Negroes are not refused service.

Violations will be handled as are the infractions of any other law. If a complaint is made that a Negro has been refused food or drink, a warrant may be obtained and the defending restaurant operator may be taken into Municipal Court.

Penalty for violation will be \$100 fine and loss of restaurant or bar license for a year.

Most restaurants beat the enforcement deadline by scrapping their "white-only" policy at once. A spot check showed, however, that almost no Negroes asked for service in restaurants where formerly they were unwelcome.

One exception was Edgar Brown, a decorated veteran Negro crusader for equal rights. Brown made a tour of Thompson Restaurants, the chain involved in the Supreme Court test case, and reported he was served courteously in every one.

## None Are at Cafe Involved

At the peak of today's lunch-hour rush there was not a single Negro patron in the 14th Street Thompson's where two Negroes were refused service three years ago, thus precipitating the court fight that led to yesterday's decision.

The Supreme Court ruling came on an unusual legal procedure. In 1873, when the District of Columbia was governed briefly by a Legislative Assembly—which was authorized to act in

place of Congress—a law was passed forbidding refusal to serve patrons because of color.

When the Legislative Assembly died, the laws it enacted either were repealed, repassed, or forgotten. Among those forgotten was the one forbidding discrimination against Negroes by restaurants.

## 1st Court Dropped Suit

Three years ago some Negroes seeking to end discrimination here went into the Thompson's Restaurant and, as expected, were refused service. They filed suit under the 80-year-old forgotten law.

The first court—the Municipal Court—dismissed the complaint against the restaurant. The Municipal Court of Appeals, by a division of 2 to 1, upheld the Negroes' complaint.

The United States Court of Appeals, by a division of 5 to 4, ruled against the Negroes and upheld the legality of the restaurant's action of discrimination. Then the Supreme Court voted 8 to 0 in favor of the Negroes.

## Similar Measure In Doubt

Oddly enough, a companion measure still remains in doubt. That is a law passed by the same District Assembly in 1872 which forbade discrimination by hotels, barbershops, and bathhouses. The Supreme Court sent that one back to the lower court for further consideration as to whether it had been repealed or left in force.

A spokesman for the group of Negroes said 45 or 50 of Washington's restaurants had done away with discrimination before yesterday's court ruling. All newspapers published editorials calling on residents of the capital to accept the new order calmly.

Said The Daily News, a Scripps-Howard paper:

"Relax. . . . The sociological roof won't fall in, as anyone knows who has traveled in South

America, or in the Caribbean area, or nearby cities in the North, or in Western Europe where racial nondiscrimination is the rule. Nondiscrimination among diners can be as unremarked and unexciting as nondiscrimination in the jobs of cooking for diners and waiting on diners, all of which we already have."

The Washington Star regretted that the decision had to be based on a forgotten law, but added:

"The Supreme Court has the final word and it has spoken without dissent. So Washington's restaurants will be open to all on an equal basis, and this is as it

should be. Experience with the theaters demonstrated that this community is ready to accept change. . . ."

Racial segregation follows a spotty pattern in Washington. Both races ride the streetcars and buses; they sit side by side at football and baseball games. Since the actors' union forced an end to discrimination at the National Theater, both races attend the legitimate theater.

## Few Can Afford Them

Now with restaurants and bars forbidden to discriminate, about all that is left is the hotels and movie houses.

Belford Lawson, Jr., president of the District Chamber of Commerce, a Negro organization, said very few Negroes could afford to patronize downtown restaurants, although some eat in drugstore and 5-and-10 cafeterias that have voluntarily lowered racial bars in recent years.

The head of the local branch of the National Association for the Advancement of Colored People, Eugene Davis, commented:

"Many people who read about this thing have visions of men in overalls coming in and sitting beside them. But they'll soon see that we have people of culture and education and decency just as the white race has. And once they see that, the battle is won."

Of about 2,000 restaurants in Washington, more than 1,750 have barred Negro customers in the past.

# Wheeler Bill Asks for D.C. Segregation

WASHINGTON, June 11—Representative Wheeler (Dem.-Ga.) introduced a bill in the House today which would have the effect of nullifying the decision of the Supreme Court earlier this week outlawing segregation in District of Columbia bars and cafes.

The intent of Wheeler's proposal is to repeal an antisegregation ordinance adopted before the turn of the century by the one-time legislative assembly of the district.

The assembly, acting as a sort of city council for Washington, derived its authority under laws enacted by Congress in 1872 and 1873. The assembly has since gone out of existence, but the high court held that its unplaced ordinances are still valid.

Wheeler contends that when Congress passed the 1872-73 laws it retained the right to veto or modify any ordinance of the legislative assembly.

He said his bill, therefore, does not repeal basic acts of 1872 or 1873, but does exert the right retained by Congress to repeal or modify any act of assembly.

The ordinance involved in Wheeler's bill prohibited proprietors of restaurants, saloons, "ice cream saloons," barber shops and bathing houses from refusing to sell to any "well behaved or respectable person" under penalty of losing their licenses.

## TOWARD EQUAL RIGHTS

Although the fact is not generally known, citizens residing in the District of Columbia were at one time considered capable of self-government. A century and a half ago Washington had a locally elected City Council; 133 years ago it was given a popularly elected Mayor; between 1871 and 1878 it was blessed with a territorial government which introduced many public improvements but came to be regarded with suspicion by Congress and was therefore abolished. It was during this stage that the Legislative Assem-

by, as it was called, passed and repassed a law forbidding "any restaurant keeper or proprietor, any hotel keeper or proprietor, proprietors or keepers of ice-cream saloons or places where soda water is kept for sale, or keepers of barbershops and bathing houses" to refuse sales or services to "any respectable, well-behaved person, without regard to race, color or previous condition of servitude."

This act was not reaffirmed in later codes, nor was it enforced. The seat of our democracy became, or remained, a community in which the rights of Negroes were restricted. The Supreme Court has now held, by an 8-to-0 vote, and against the rulings of lower courts, that the old law was and is valid. On the face of this decision persons refusing service on account of race are subject to fine and to forfeiture of their license to do business.

The court postponed decision on cases which would compel it to re-examine segregation in schools and to reassert or reverse the "separate-but-equal" doctrine. Yesterday's decision was of relatively minor constitutional importance. Yet it ran in harmony with the noble words of an old document, which says that "all men \* \* \* are endowed by their Creator with certain inalienable rights." In time we may in practice as in theory follow the precepts of 1776.



IKE SAYS 'YES;' MRS. TERRELL, NO:

# *After American P. J. Baltimore Md* **GOP Can't Take Credit For Ending Cafe J.C.**

The attempt of the present Republican administration to take credit for the abolishment of segregation in Washington's restaurants drew sharp rebuttal this week from principals who had been fighting the issue since 1950. Mr. Eisenhower, in a speech at Mount Rushmore, S. D., brought the issue to a head when he credited the Supreme Court decision to successful appeal from a lower court decision made by the present Attorney General, Herbert Brownell Jr.

## **Mrs. Terrell Says**

WASHINGTON  
Mrs. Mary Church Terrell took issue Friday with reports that the Eisenhower administration is "taking credit" for ending segregation in D.C. restaurants. She said:

"I am greatly opposed to the Eisenhower administration taking credit for opening the restaurants. It had nothing to do with it.

"It was the Co-ordinating Committee for the Enforcement of the Anti-Discrimination Laws

in D.C. that did it — the members of the committee and their attorneys.

*Interracial Committee*  
"I am happy to say," Mrs. Terrell added, "that the committee is composed of both colored and white members and I want to say how loyal and hard working they all were.

"I'd like to mention especially Mrs. Annie Stein, our former chairman, and our attorneys, Joseph Forer and David Rein."

News dispatches Friday morning on President Dwight D. Eisenhower's speech at Mt. Rushmore National Memorial in South Dakota, quoted him as citing the end of segregation in D.C. eating-places as one of the achievements of his administration.

## **Ike Says**

MOUNT RUSHMORE, S. D. (NNPA) — President Eisenhower was quick to claim credit for his administration for the decision of the U.S. Supreme Court

that restaurants in the District of Columbia cannot legally refuse to serve any well-behaved respectable colored persons.

Addressing the Young Republican National Federation last week, Mr. Eisenhower listed "ten specific achievements," which he said his administration has accomplished in five months.

One of the "ten areas in which deeds, not promises, testified to the work done" listed by Mr. Eisenhower was the field of civil rights.

### **Before Ex-Presidents**

Standing before the gigantic heads of George Washington, Thomas Jefferson, Theodore Roosevelt, and Abraham Lincoln, Mr. Eisenhower declared: "We have taken substantial toward ensuring equal civil rights to all our citizens, regardless of race or creed or color.

"Again: These actions have been designed to remove terrible injustices rather than to capture headlines. They are being taken, quietly and determinedly, wherever the authority of the federal government extends.

### **Action In Army Camps**

"Action has been taken in army camps and schools. And in the District of Columbia, before the bar of the Supreme Court, the Attorney General has successfully appealed for the upholding of laws barring segregation in all public places in our national capital."

In Washington, court records show that the Corporation Counsel charged Thompson's Restaurant on August 1, 1950, with violation of the 1872 and 1873 Acts by refusing service to three well-behaved and respectable colored

persons.

The federal government moved into the case in June, 1951, when Philip B. Perlman, who was U.S. Solicitor General under President Truman, filed a memorandum for the United States, urging the U.S. Court of Appeals to review the judgment of the Municipal Court of Appeals. Mr. Perlman also filed a brief on the merits.

### **Judge Quashes Charges**

In the Municipal Court, Judge Frank Myers had quashed the charges on the ground that the 1872 and 1873 laws, enacted by the short-lived District of Columbia Legislative Assembly, had been repealed by implication as the result of the enactment by congress of the Organic Act of June 11, 1878, providing a commissioner form of government for the District of Columbia.

On appeal, Municipal Court of Appeals held that the two acts were valid when enacted and that the 1873 Act, but not the 1872 Act had not been repealed.

On cross-appeals by both the Thompson Restaurant and the District of Columbia, the Court of Appeals last January 22 ruled that both acts were unenforceable and the charges should be dismissed.

### **Ike Moves In**

The Eisenhower administration moved into the Thompson Restaurant case when the Supreme Court was asked to review the decision of the Court of Appeals.

In March, Attorney General Herbert Brownell Jr., filed a brief for the United States as a "friend of the Court," urging a review of the Court of Appeals decision.

After the Supreme Court grant-

ed a review, Mr. Brownell filed a brief on the merits, and Philip Elman, a special assistant to the Attorney General participated in the oral argument before the Supreme Court.

Mr. Elman signed all three briefs filed by the government — the one filed by Mr. Perlman in the Court of Appeals and the two filed by Mr. Brownell in the Supreme Court.

T. S. L. Perlman, a Justice Department attorney, signed both the Perlman brief on the merits in the Court of Appeals and the Brownell brief on the merits in the Supreme Court.

# **Restaurants Comply But Negroes Absent**

WASHINGTON, D. C. —Almost no change in the racial patterns of Washington restaurant patronage was noted after the U. S. Supreme court outlawed cafe jim crow June 8.

Although many eating places did not wait until the June 10 deadline to scrap "white only" policies, practically no Negroes were noted dining in the downtown establishments.

Edgar G. Brown, director of the National Negro council, made a personal survey of Thompson's restaurants. He reported he was served courteously in each one he visited.

### **NO NEGROES**

Reporters said there was not a Negro eating in Thompson's 14th st. cafeteria at its peak hour the day after the court order.

It was this cafe's refusal to serve three Negroes in 1950 that brought action which finally ended in victory.

In its decision, the nation's highest tribunal upheld the so-called "lost laws" of 1872 and 1873 which prohibited discrimination in eating places because of color.

The 1872 law states that restaurants must serve any "respectable" person regardless of race. The 1873 statute requires that all "well behaved" persons be served regardless of race.

\$100 fine and loss of license for a year is the punishment for violations.

Negro leaders did not express surprise on learning that Negroes were not rushing to downtown eating establishments.

Belford Lawson, jr., president of the District Chamber of Commerce, said "very few" Negroes can afford to patronize downtown restaurants.

Some, however, he said, eat in drug stores and five-and-ten cent store cafeterias which voluntarily dropped race bars recently.

### **NO OVERALLS**

Eugene Davis, head of the local NAACP branch said:

"Many people who read about the thing have visions of men in overalls coming in and sitting beside them. But they'll soon see that we have people of culture and education and decency just as the white race has.

"And once they see that, the battle is won."

There are approximately 2,000 restaurants in the District of Columbia. More than 1,750 have been closed to Negroes in the past.



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President Eisenhower said, according to reporters:

"We have taken substantial steps toward insuring equal civil rights to all of our citizens, regardless of race or creed or color....the Attorney General has successfully appealed for the upholding of laws barring segregation in all public place in our National Capital."

First U.S. intervention in the Thompson's restaurant case came during the Truman Administration when the Justice Department filed an amicus brief before the U.S. Court of Appeals in January, 1952.

In March, 1953, the present Attorney General, Herbert Brownell, filed a brief with the Supreme Court, arguing in behalf of the validity of the "lost" anti-discrimination laws and linking the restaurant case with the issue of home rule for D. C.

## She's Satisfied

# Mrs. Terrell Drops Suit

By ALICE A. DUNNINGAN

WASHINGTON (ANP) — Mrs. Mary Church Terrell, chairman of the Coordinating Committee for the Enforcement of the D. C. Anti-Discrimination Laws, and one of the complainants who brought suit against the Thompson's restaurants for refusing to serve Negroes, announced last week that she would ask the corporation counsel to withdraw all complaints against the company and drop prosecution.

Since the U. S. Supreme Court ruled that the 1873 anti-segregation law is valid, the Thompson case is scheduled to be tried in the Municipal Court where the company would likely be convicted for violation of the law and prosecuted to the fullest extent.

Mrs. Terrell said she is requesting that the case be dropped because the purpose for filing the suit has been served, and she has discovered for herself that the Thompson Company is observing the law.

## Mrs. Terrell Attacks Jim Crow In Theatres

Mrs. Mary Church Terrell, prominent civic leader celebrated her 90th birthday on Wednesday, Sept. 23, by making an attack upon Jim Crow in the theater in the District of Columbia.

Accompanied by Mrs. Arline Hayes, an elderly white lady; the Rev. William H. Jernagin, 84-year-old pastor of Mt. Carmel Baptist church; and William Nixon, an elderly retired school teacher and president of the Oldest Inhabitants Club, Mrs. Terrell enjoyed a birthday lunch-

at Longchamp's restaurant which the party journeyed to the Capital theater for a lecture and stage show.

The occasion was a test on the Capital would admit. Had the theater refused to admit the group a suit perhaps been filed three years ago on restaurant

case. But to the surprise of all concerned the theater admitted them without a word of protest.

It was generally known that this theater opened its doors to all races during the Eisenhower inauguration, but it was rumored that this movement was only designed for special occasions. The theater's action Wednesday proved otherwise, but it still is not known whether the theater has quietly adopted an integrated policy, or whether it had received an advance tip on what was in the planning of this party of elderly, much respected District citizens.

At any rate, Mrs. Terrell has made it known that she will not be contented until she sees segregation wiped out of every vestage of Washington life, including the public schools. "If I live to see integration in the schools here," she said, "then I can die in peace!"



# DAVIS LEE DISCREDITED NEGRO JOURNALIST MEETS OPPOSITION IN CRUSADE FOR SEGREGATION

## Charge Police Break-Up Picket Line

### Civic Leaders Hit Use Of Race Issue As Racket And Means Of Making Easy Living

Montgomery, Ala., July 20.— to keep the sidewalk clear outside (DSN) — A scheduled speech of the auditorium. He said that Davis Lee, discredited Negro jour- they dropped the signs and ran nalist and newspaperman from across the street when he asked, New Jersey on a crusade through "Let me see those signs." the Deep South in support of seg- "That didn't happen like the ac- regation, met with strenuous op- count given by police," Nixon said. position from Negro citizens here. He added that "every step we took At the time of the speech set for had been carefully checked with 8 o'clock last Friday night, July lawyers to see that it was legal." 10, picket lines had been formed. He said that the signs read around the City Auditorium, scene "Davis Lee Speaks For Himself And Not For Us" and "Davis Lee

The picket lines are reported to Loves Jim Crow But Lives in New Jersey. have run into opposition from the local police force.

Civic leaders here said that their efforts were successful in displaying that decent-thinking white merchants and automobile citizens frown upon those who use the race issue as a racket and as a means of making an easy living. Lee, a discredited journalist,

Lee, publisher Newark was quoted as arguing that seg- (N. J.) Telegram, an infrequently appearing scandal sheet, was billed against unemployment for thou- of segregation which has been branded as the stigma of second-class citizenship. The New Jersey journalist has written a number of pro-segrega- tion essays which have been widely published in a number of white newspapers in the South. He has been repudiated by the Southern Newspaper Publishers Association, over the matter would be placed with Police Commissioner Earl James last Saturday.

Nixon said that two police of- ficers were on duty before the meeting got under way but later the number grew to 20. He ac- cused Montgomery Chief of Police G. J. Rupenthal of taking the placards and breaking them one by one across his knee. Ronald R. Young, executive of the asso- ciation and one of the speakers made the complaint.

Chief Rupenthal denied the ver- sions given by Nixon and Young. He said that he told the pickets

According to Nixon, only 18 Ne- groes and 32 whites showed up for the meeting. He said that several

white merchants and automobile places had given free tickets to the pro-segregation rally.

Lee, a discredited journalist,

Newark was quoted as arguing that seg-

regation is an insurance policy

appearing scandal sheet, was billed against unemployment for thou-

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Newspaper Publishers Association,

over the matter would be placed



## Miami Beach hotel Negro reservations canceled by threat

MIAMI BEACH, Fla., May 5.—Miami Beach hotel reservations of Negro delegates to a national church convention were cancelled last night after the management reported anonymous phone calls threatening to "blow up the place."

The Betsy Ross Hotel, on Ocean Drive, originally had accepted reservations from 164 Negro pastors and their wives, here, to attend the national convention of the Church of God in Christ, International.

George Rone, manager and lessee of the hotel, said "15 or more" anonymous telephone calls were received protesting his plan to rent to Negroes.

AS A RESULT, Rone said, he went to the Negro leaders and told them of the situation.

"It was their decision not to risk any violence," Rone added.

The Rev. A. M. Cohen, pastor of the Church of God in Christ, International, confirmed this.

"It is one of the tenets of our church," the pastor said, "to avoid violence. When Mr. Rone told us what had happened, we decided against moving in."

The delegates were put up at the Lord Calvert, a Negro hotel in Miami, and at the homes of Miami Negro church members.

The Miami office of the Federal Bureau of Investigation made a preliminary inquiry.

Edward Powers, FBI agent in charge, said that preliminary inquiry indicates that there has been no violation of any federal statute thus far, but should there be any indication otherwise, we will investigate further.

Rone later said, "I want to say now that if any of the Negro delegates come in and they can't find other accommodations, the hotel will be opened up for them, and I don't care what threats are made. If they want to take the risk, I'm willing to abide by my agreement."

The convention is scheduled to last a week.

## Betsy Ross Locks Doors To Negroes

### Hotel Cancels Reservations

By JAMES MILLER  
Herald Staff Writer

The Betsy Ross Hotel, 1440 Ocean dr., locked its doors and posted a "Temporarily Closed" sign in the window Monday night rather than accept as guests the 164 Negro pastors and wives for whom the hotel had been reserved.

The spurned delegates to the national convention of the Women of the Church of God in Christ, International, found rooms in the Lord Calvert, Negro hotel, at 276 NW Sixth st., and in homes of local Negro church members.

The Lord Calvert, which had 40 convention reservations, suddenly was filled with a capacity of 82 guests, it reported.

Most of the delegates to whom the Betsy Ross Hotel had been booked for the seven days of the convention didn't arrive in town until about 10 p.m. Monday on a special train.

Although local convention leaders had been notified of the hotel's sudden change of heart in late afternoon, many of the arriving delegates didn't learn of it until they went to the Beach.

A Herald reporter, assigned to see if any incident marked the checking in of the first Negroes to be housed in a Beach hotel, gained admittance only after pounding at length on the locked door.

A lone man in the darkened lobby let him in and through the hotel switchboard, connected him with George Rone, operator and one of the lessees of the hotel.

"I understand you've called off this whole thing," said the reporter.

"There's nothing to it," said Rone. "There has been no change in the plans."

"But your hotel is closed," ob-

served the reporter.

"Who told you that?" demanded Rone.

"I'm standing in the lobby now."

"Oh," said Rone. "Well, we don't know what we are going to do."

Another "hotel official," reached through the hotel switchboard, refused to give his name, but said, "We thought it would be better to close for a couple of days until this thing settles down, and then we'll be open for business again."

He indicated, however, that the Negro delegates wouldn't be asked to fill out the remainder of the week if the hotel does reopen during the convention.

"We didn't realize that this thing would crary so much weight with the community," he said. "We're a smaller community than we thought."

He said the convention leaders were notified of the hotel's decision at 4:30 or 5 p.m. and accepted it gracefully.

"They'd rather not impose themselves on the community," he said.

Earlier Rone had reported receiving "15 or more" anonymous telephone calls protesting his plan to rent to Negroes. Some of the callers, he said, threatened to "blow the place up."

The Miami Beach Chamber of Commerce and the city's convention bureau also reported receiving "several" calls protesting the rentals.

Rone asked Acting Police Chief Wesley M. Martin to assign a detective full time to the hotel Monday night, but Martin said he didn't have sufficient manpower.

Martin did instruct the detective bureau to have cars cruise the hotel neighborhood as often as possible and "keep a very sharp eye out for any disorderly conduct."

## Iowa Church Delegate at Miami Meeting Writes of Betsy Ross Hotel Incident

Miami, Fla.—"Since we were a religious group and not representing the National Association for the Advancement of Colored People, we decided it best, at this time, not to go in the Betsy Ross hotel," wrote Mrs. Luella Westbrook, from Miami, Fla., last week.

One of the three Des Moines residents, delegates from the Church of God in Christ in Iowa, Mrs. Westbrook, with 164 ministers, their wives and other American citizens were to have been the first Negro guests to be housed at the swanky Betsy Ross hotel in Miami Beach.

"Mrs. L. B. Conway, president of the international convention, had obtained this hotel, Betsy Ross, and every room was reserved for us. No colored had stayed there at any time," Mrs. Westbrook wrote.

Despite the threats of violence which caused the church delegates to cancel their reservations and seek housing in Negro hotels, the management of Betsy Ross hotel said on May 5 that the hotel was still open to the Negro delegates.

According to Milt Sosin, Miami Daily News staff writer, four leaders of the church corroborated a statement by George Rone, summer lessee of Betsy Ross hotel that he was ready to stand by his agreement to house Negro delegates.

In Miami Beach, Tom F. Smith, city convention and publicity director, said that he did not expect the incident would have any great adverse effect on the National Education Association convention which opens in Miami Beach June 28 for six days.

### Expect 'Handful' In June

Smith said that while it was true that NEA has a firm non-segregation policy and that this had been written into the agreement when he secured the convention for Miami Beach, there will be not more than a 'handful' of Negroes at convention.

"They will live in the same hotels

as other members of their state delegations, but there will be probably only about 25 or so in a total of possibly 12,000 delegates.

### 'Will Not Use Beaches'

"We have booked two Negroes in one hotel, four into another. They will eat in the hotels and will not use the beaches or any of the public facilities."

John Pompey of Daytona Beach, elder of the Church of God in Christ, International, in that city said on May 5, at the opening of the convention, which opened on schedule, that Rone had been ready to stand by his agreement to house Negro delegates, but that the church leaders themselves decided against it because the tenets of their creed adjured violence.

Elder William Gamble, pastor of the Second Church of God in Christ, International, in Miami, said Rone was with the church leaders until 2 o'clock the morning of the opening day and had expressed his willingness to go through with his commitments.

Others who corroborated Rone's statement were Elder W. Price of Melbourne, pastor of the church there, and Elder A. M. Cohen, pastor of the First Church of God in Christ, International, Miami, where the convention was held.

Rone reiterated later Tuesday that the hotel was still open to the Negro delegates if they chose to register.

City Manager Claude Renshaw of Miami Beach, said that if Negroes did move in: "They will be protected and their constitutional rights will be respected."

### Interested In 'Rights'

In the meantime, The Miami Daily News learned, the Miami office of the Federal Bureau of Investigation had made a preliminary inquiry but was

Rone said that after he had received the telephone threats, some of which vowed violence against the hotel and against the Negroes if any should move in, he went to the leaders and told them the situation. "It was their decision to avoid any

"Our preliminary inquiry indicates that there has been no violation of any federal status thus far, but should there be any indication otherwise, we will investigate further."

not taking any formal interest in the case. Edward Powers, agent-in-charge of the Miami FBI office, confirmed this, adding: "The concern of the FBI is to find out whether there had been any violation of the civil rights sta-

Went To Leaders



risk of violence," Rone said. "But by mutual agreement, therefore, the reservations were cancelled, without either side holding the other responsible."

"I closed the hotel, but I want to say now that if any of the Negro delegates come in and they can't find other accommodations, the hotel will be opened up for them and I don't care what threats are made."

"If they want to take the risk, I'm willing to abide by my agreement."

## Negro Church Group Bows to Segregation

Miami Beach, Fla.—Negro delegates to the annual convention of the Churches of God in Christ were forced to give up their reservations at an empty Miami Beach hotel this month and move to segregated quarters in the Negro section of Miami because of telephone threats to the management of the hotel.

According to George Rone, owner of the Betsy Ross Hotel, advance publicity had brought scores of threats, "mostly from men." Following a conference with convention officials, a sign reading "temporarily closed" was put on the hotel and the 164 delegates moved to other quarters.

—JLC Labor Reports

## Experiment Fails

# Threats Close Hotel To Negro Church Unit

MIAMI BEACH, Fla., May 5 (UP).—Negro church delegates turned to Miami's Negro section for lodging after an experiment to turn over to them an ocean-front hotel to all-white section was canceled because of telephoned threats to the management.

George Rone, owner and manager of the Betsy Ross Hotel at 14th St. and Collins, Ave two blocks from the Lincoln Road shopping center, said "advance publicity" had brought scores of threats, "mostly from men." A sign reading "temporarily closed" was placed on the hotel door.

"We've had nearly 100 anonymous calls threatening to throw stink bombs and everything else you can think of, and they are still coming in, Mr. Rone said.

He said a newspaper story appeared Sunday stating that the hotel would be the first on Miami Beach to be occupied exclusively by Negroes.

"If we hadn't received all this advance publicity, we might have been able to quietly perform a service needed down here in the South," Mr. Rone said.

The empty hotel was to have been turned over today to 164 Negro delegates to the annual convention of the Churches of God in Christ International.

"After talking it over with convention officials, we agreed neither of us wanted to do anything that might cause any unpleasantness," Mr. Rone said. "Their people are conservative and don't want to cause any disturbance."

Hasty arrangements were made to put up the group at two hotels, already crowded with other church delegates, in Miami's Negro district.

## Klan Open to All, But Segregated

RIVER JUNCTION, Fla., Oct. 12 (UP).—The Ku-Klux Klan in Florida will discard its secret robes and ritual and open its ranks to "all races, creeds or colors" on a segregated basis, its new leader said today.

C. L. Parker, forty-six-year-old Grand Dragon, who took over the Florida branch of the Klan in June, said the only requirements for membership are that members "believe in God and the Constitution of the United States" and pay a fee of \$1. "There will be no paraphernalia to buy," he added.

But the Klan still believes that "segregation of the races is the law of God," and Negroes who join the order will have their own chapters in "Klaverns" supervised by the Grand Dragon, Parker said.

The Ku-Klux Klan has largely faded from the southern picture in the last few years. Bands in northern Alabama and along the North and South Carolina border were smashed by prosecution for terrorism. A call to the number listed for the Georgia Klan in Atlanta, a separate branch which calls itself the only authentic Klan, brought a report that its telephone has been disconnected.



## County Shuns Decision on Segregation

Dade county commissioners declined Tuesday to set a rigid policy of non-segregation for performances at the county auditorium.

Instead, they informed a delegation of Negro leaders, the decision would be left up to the producers of individual shows and events.

If they want mixed audiences, it is all right with the county, the commissioners said.

The large delegation raised the issue because of complaints that Negroes were banned from attending performances of "South Pacific" at the auditorium last week.

Individual commissioners pointed out that mixed audiences attended a concert last year by Marian Anderson, famous Negro contralto.

The county itself is sponsoring an affair in the auditorium Sunday when veteran county employees will be honored. There will be no segregation.

The commissioners said, however, that control of ticket sale was with the groups leasing the auditorium, and the county has no right to dictate their policy.

## Arrest Maid For Bathing In Ocean

Indignant Authors  
Pen Protest Letters  
To Daily Newspaper

ST. AUGUSTINE, Fla. — Two of America's best known writers, Mrs. Marjorie Kinnan Rawlings and Dr. Henry S. Canby, were so incensed at the racial prejudice manifested here last week that they have writ-

ten to the press letters protesting such barbarity.

Mrs. Rawlings, who is author of "The Yearling," among other books, became angered when the West Indian nursemaid of one of her guest's family was arrested and manhandled by local deputies because she dared to swim at the beach where her employers were guests.

Mrs. Rawlings' strong letter of indignant protest was printed in the St. Augustine Record, the daily newspaper of the city, on April 15, and has caused a variety of comment from the citizens, most of which have been expressions of shame.

### Distaste For Racism

Dr. Canby, who comes from Killingsworth, Conn., also wrote a letter of protest to the press in the form of an open letter to the sheriff, which expressed in the strongest terms his distaste for the way colored people are treated in this so-called "100 per cent American" community.

Mrs. Rawlings' letter follows:

Crescent Beach

St. Augustine, Fla.

April 14, 1953

A shocking incident occurred at St. Augustine Beach yesterday afternoon. I am making my protest publicly, instead of merely reporting to Sheriff L. O. Davis, as I feel that the matter goes beyond any facts of law.

One of our most distinguished American citizens, Dr. Henry Canby (head of the Board of Judges of the Book of the Month Club, editor of the Saturday Review, close to all the American Press), with his wife, son, daughter-in-law, three grandchildren and the children's colored nurse, has honored us this spring with one of his periodical stays at St. Augustine Beach.

The colored nursemaid, a woman past 50 years of age, originally from the West Indies, a quiet and well-educated woman, went alone for the first time in her bathing suit yesterday afternoon, sometime after four o'clock, for a dip in the ocean.

She was unaware of the local custom whereby colored bathers are expected to go to Butler's Beach several miles south. It appears that a neighbor reported her appearance on the restricted beach.

### Thrown Into Car

According to Dr. and Mrs. Canby, a deputy sheriff appeared, seized the woman by the arm and practically threw her into his car, saying that she was under arrest. She did not even know that he was an offi-

cer of the law, was terrified, and tried to explain that she was a nursemaid for the Canbys. The deputy called her a "n-----" several times, said that he would take her wherever she claimed to be residing to get some clothes on and that she could do her explaining to the judge.

When Dr. Canby encountered the deputy and the frightened woman, he was as puzzled as she. The deputy explained to him that what she had done was against the law. Dr. Canby's one concern was that the innocent woman not be taken to jail. He explained her relationship to his family, and the deputy released her.

### Great Pity

I myself do not know the nature or legality of the restrictions as to race that apply to St. Augustine Beach. What concerns me is, not to call it by so harsh a name as brutality, the lack of simple courtesy and good manners on the part of a representative of the law.

It seems to me that this officer had only to question the woman with ordinary civility, and then, to have informed her that her presence on this beach, unattended by her charges, was locally unwelcome.

It is a great pity that Dr. Canby will have to report such ungraciousness in our community.

## Craig Officer Rearrested—

## Negro Lieutenant Released As Segregation Law Questioned

Thurs. 7-30-53

CRESTVIEW, Fla., July 29 (AP) —A Negro Air Force lieutenant involved in a segregation dispute left for his home base today following his second arrest by law enforcement officers.

Lt. Thomas E. Williams, stationed at Craig Air Force base, Selma, Ala., was released today on \$75 bond in a traffic charge after spending the night in the Crestview jail in default of the bond.

Williams was arrested in Laurel Hill, near here, yesterday by Okaloosa County Constable Walter Sanders, who said Williams was driving through Laurel "at a high rate of speed."

The arrest followed the transfer of the segregation case to Okaloosa County circuit court by County Judge Wilbur Osborn. Osborn refused to accept jurisdiction of the case after the constitutionality of the segregation law was questioned.

Williams was arrested June 23 on a charge of occupying and refusing to leave a section of a Coastal Stages passenges bus reserved for whites.

His attorney, Charles F. Wilson, Pensacola, yesterday asked dismissal of the charges. He contended that since Williams was an interstate passenger, the Florida law did not apply in his case.

He said that if the law should be ruled to apply, it should be held unconstitutional since it attempted to regulate interstate commerce.

County Attorney Clyde Campbell described the segregation law as a police action and said it didn't discriminate against members of any race. "If a white person occupied a seat in the section reserved for Negroes he would be arrested just as quickly as a Negro occupying a seat in the section reserved for whites," he said.

Williams said he had been visiting at Eglin Air Force Base, near Ft. Walton Beach, Fla., and had a bus ticket from Ft. Walton Beach to Montgomery, Ala., at the time of his arrest.



# Miller Cites Gains And Barriers In South Today

BY WILLIAM GORDON

Managing Editor, Atlanta Daily World

"We find ourselves in a world, a nation and a region, moving so rapidly that the eternal values we were taught as children no longer seem to obtain," said Alexander Miller during the Hungry Club forum yesterday at the Butler Street YMCA.

## MAKES ANALYSIS

Mr. Miller regional executive director of the Anti-Defamation League made a sharp analysis of the conditions in the transitional South, pointing up the gains and the barriers that still stand to hamper progress. He spoke on "A Program for Social Action for Bettering Human Relations in the Transitional South." He has spent more than 20 years working in the area of human relations.

## SIGNIFICANT CHANGES

Being more specific Mr. Miller said, "To my mind the most significant change during the past ten years has been in the status of thinking, and psychology of various minority groups. And correlative with this change, and going hand and hand with it," he said, "has been the new dynamic conception which we have been giving to the meaning of American democracy," he continued.

He said that this was part of a world picture as it was of the Southern scene. He pointed out the fact that minority and various ethnic groups were on the march, particularly in this country.

Mr. Miller made it clear that these groups were demanding in light of their efforts, full recognition for their members and that this will be continued until they achieve all the rights that go with full citizenship.

## NO LONGER CONTENT

"And in this forward surge," Mr. Miller continued, "members of minority groups have found a new security. Their muscles have been strengthened by the struggle. They are no longer content to accept complacency as too many of us did 20 or ten years ago in the role of second class citizenship," he continued.

By contrast, Mr. Miller went back to 1924 when the anti minority immigration policy of the United States was first put into effect. He said at this time, there was hardly a voice raised in protest. Leaders of minority groups, he said, seemed to feel that they could not secure

enough strength to oppose the forces at that time. He added that today when the McCarran-Walter Bill was passed, minority leaders and protest groups stood up and said "this law is bad."

## SOME OF PROBLEMS

"From the advantage point of our new found perspective," he continued, "high in the heavens above the South, let us examine some of the problems pressing down upon us in this region."

The executive director of the Anti-Defamation League cited the South's segregation system as the number one human relations problem. But he added that the system is crumbling and that every day the tempo of the assaults upon it are increasing rapidly.

## FIVE SCHOOL CASES

"The sharpest attack at this moment," Mr. Miller said, "is coming from the five school segregation cases now awaiting decision from the United States Supreme Court." He went on to say that the problem for citizens of the South working in the area of human relations to find means for easing and implementing such changes as he was confident that the Supreme Court ruling would bring. He promised no quick remedies for the problem. He added that there are none in the field of human relations. He said there have been many suggestions but added, "These suggestions are designed to ameliorate tensions and help pave the road ahead so that we will continue making progressive smoothly."

## PUBLIC OPINION

Mr. Miller was optimistic about the trends of change and emphasized that:

"One of our great problems is that of influencing public opinion in the South in a positive direction." But he added, "unfortunately, most of the impulses reaching the general public comes from the demagogues, the politicians, the conservative leaders interested in maintaining the status quo," he said.

During his speech he offered five steps by which public opinion

influence in a more positive direction:

1. "Give wide circulation to examples of successful integration.
2. Give wide circulation to constructive public statements by influential spokesmen.
3. Supplying newspapers in the region with accurate and helpful information.
4. Documenting the dangers and inadequacies of substitutes.
5. Holding of state and community meetings consisting of leaders who will discuss the problems.

Mr. Miller also touched on the pattern of violence and said that some of the facts may surprise people. He cited instances of group violence prevalent in certain areas of the country, but added that organized violence of the Ku Klux Klan mentality is definitely on its way out. He warned however, that people should not be lulled into a false sense of security. He warned of remembrance of the Klan being still alive even though the widespread organized strength is constantly drifting into defeat.

During his talk, he warned Negroes who might lessen their interest in the ballot. He said there should never come the day when politicians would begin to think the Negro vote is not significant.

## MEANY CONDEMNS USE OF RACE HATE

A. F. L. Head Tells Conference of Christians and Jews Bias Opposes Human Progress

Special to THE NEW YORK TIMES.  
WASHINGTON, Nov. 9—The fostering of racial hatred and religious prejudice for the sake of political expediency was denounced today by George Meany, president of the American Federation of Labor.

Speaking before the National Conference of Christians and Jews at the Mayflower Hotel, he said that those who believed in the brotherhood of man could not be intimidated by such tactics.

Mr. Meany, one of the principal speakers at an annual meeting, called those dealing in race hatreds "little Hitlers."

"I have heard some of them threaten publicly to abolish the public school system in their states if the Supreme Court goes against

segregation in the public schools," he said.

"They oppose all human progress. They are trying to isolate themselves from the rest of the United States and build up fortresses of reaction where anti-unionism, anti-Negroism, anti-Semitism, and anti-democracy can flourish."

## 'Gratifying Results' Seen

Mr. Meany added that such efforts would be futile since "we have proved that tolerance works." "Wherever racial and religious discrimination have been outlawed by state and local governments, wherever segregation has been eliminated by community or trade-union action, the results have been highly gratifying to all concerned," he said.

As one example, which he termed typical of thousands, he cited the refusal some years ago of the Actor's Equity Association to play in this city's only legitimate theatre while a segregated admission policy was enforced by the management.

"Today," he said, "three legitimate theatres are operating in Washington, all on a non-segregated basis, and there hasn't been a single valid complaint."

Another speaker was Mrs. Ann Shipley, member of the Canadian Parliament from a gold-mining area in northern Ontario where 50 per cent of the people are English-speaking, 25 per cent French-speaking, and 25 per cent speak Central European languages. She said that all had been "well and truly integrated into American life."

## Night School Work Cited

She related that hundreds of these Canadians, old and new, went to night school together. There, she continued, the old learned handicrafts brought in by the new and the new learned English and other academic subjects.

In a symposium on twenty-five years of progress in racial and religious relations, Dr. Edmund W. Sinnott, Dean of the Yale University Graduate School, urged that the Western World "discover a common foundation of enlightened belief and faith on which our unity can solidly be established."

Dr. Ashley Montagu of Rutgers University said that the study of genetics had shown "all the so-called races of men originated in a common human stock," with no group being inferior or superior.

Herman H. Long, director of the race relations department of Fisk University at Nashville, Tenn., said that much progress had been made since a generation ago when "the shadow of the plantation and the

ghetto defined the limits of opportunity and expectation."

## Says Race Bias Is On Way Out

CHICAGO—(NC)—Racial discrimination is on its way out as a social problem in Chicago, according to Father Daniel M. Cantwell, chaplain of the Catholic Labor Alliance.

Speaking before 100 Catholic high school student leaders and faculty advisors of student activities at the first annual Interracial High School Study Day here, Father Cantwell said: "Racial discrimination is morally wrong, definitely anti-Christian, and specifically contrary to the teachings of the Roman Catholic Church."

He cited a list of fields in which considerable progress has been made toward racial integration, and said that Chicago's greatest strides toward relief of racial tensions have been made within the past five years. The progress will continue, he said, as long as "we have confidence in ourselves. Above all, Christians must have confidence in their faith."

The interracial study day was sponsored by the Catholic Interracial Council of Chicago in cooperation with the Boys and Girls High School Principals Association and the Archdiocesan school board.

Resolutions passed by the study groups at the conference called upon the Catholic Interracial Council to intensify and expand its activities in the Chicago schools of the Chicago See.



# Experts Agree That Negro Is Ready For Integration

BALTIMORE, MD—The Negro is ready for integration now, a symposium of three experts agreed at Morgan State College Tuesday night.

The two discussed the controversial question at the first monthly "Town Meeting of the Campus" sponsored by the college's Philosophy Club.

## URBAN COMMUNITIES

Dr. Charles, noted historian, advanced the idea that an "inmate resiliency" which seems to be characteristic of the Negro race will make it possible for the Negro to adapt easily to integration.

He said that the move from rural to urban communities, as indicated in the 1950 census, further indicates that the colored American is ready to make a change.

"If we're ever going to be ready for integration, now is the time, and I think the Negro realizes that," he said, discussing specifically integration in education.

## INFERIOR ENVIRONMENT

While all three participants agreed that the Negro is ready for integration, each pointed out the Negro, because of inferior environments, has handicaps.

"Financially," Dr. Quarles pointed out, the Negro is "not quite ready for integration," while Dr. Templeton emphasized that the Negro does not have enough skills.

"We've swung too heavily in the direction of the professions. We need blue collar workers as well as white collar workers," the Urban League official declared.

Attorney Watts, emphasizing the Negro's legal and political gains urged exercises of the franchise as a means of insuring wider job opportunities for colored Americans.

James H. Wooten, president of the Philosophy Club, presided. Dr. Richard I. McKinney and I. W. E. Taylor are faculty advisers.

## Getting Ready For Integration

Last Sunday when we addressed an NAACP meeting in Ardmore, we complimented the young people who came out, and after singing two numbers remained for the address we delivered respecting civil rights in Oklahoma and the United States. Usually young Negroes, if called on to sing at a meeting of this type, file out the front or back door as soon as they finish their musical numbers. The Ardmore young people were different much to their credit.

Somehow, some way, we cannot resist temptation to feel the teacher who allows pupils to act in this manner is totally remiss so far as guidance and duty are concerned, when the students are not advised they should remain and listen to discussion of social problems and prepare themselves to have understanding about citizenship. Most invariably it has been our experience young Negro people, the ones who should be interested most in social solutions and citizenship problems, indicate an indifference and lack of interest in such matters not found among the youth of other racial units.

This is one of the reasons why we have been inclined to say the young Negro is not entirely ready for integration. We made this sort of statement at Langston university last spring to find we had almost insulted the student body. Later during a seminar, we were able to have a closer meeting of minds, but the average young Negro does not seem to realize that integration as we recognize it today in the United States offers some serious challenges, which he fails to recognize and meet.

Let us take, for example, something which the average Negro apparently is not thinking about. Right at this moment every political party in the city of New York has selected a Negro as its candidate for the president of the borough of Manhattan. More than two million people reside in this political subdivision, and it is a part of the largest city in the United States. Years ago it was entirely possible for a black man to think logically that he need not know too much about the operation of city government, but the fact that in 1953 an important unit of the city of New York will elevate a black man in a few months to a political post eight times larger than Oklahoma City, should cause every black boy in the canebrakes of Louisiana to realize it is important now that Negroes begin to learn something about the functioning of government. Most of the Negroes of New York who did not come from the Caribbean, and have been transplanted there from Mississippi, Louisiana, Georgia, Oklahoma and other southern states.

We might turn to the international arena. There we find Ralph Bunche, a black boy, who a few years ago need not have been interested in anything beyond the borders of the United States, but who today has international acclaim because it was his genius and understanding of human affairs that made possible the peace existing now between Jews and Arabs in the Arab world. Does not the story of Ralph Bunche point to the reason why Negro boys and girls should be taught foreign languages in high school, and establish the reason why Negro parents should insist such courses be included in our public schools? Ralph Bunche would have been just another ordinary Negro but for the fact he knows

languages and the history of peoples, and has studied human experiences across the ages. The time has come when our schools must make our boys and girls cosmopolitan in their vision, and perhaps one of the troubles with our boys and girls right now develops out of the fact their training does not give them the broad perspective given the white child.

Liberalism and the trend towards integration demands that in the school room the black boy and girl be given a full loaf of information. The opinion of the Black Dispatch is, that in line with this sort of thinking, every school principal should convert his daily assembly hour to a study of current events as they develop in the nation and on the world scene. This daily exposure to social and political activity and planning would enrich the impoverished minds of Negro youth as nothing else can. Most Negroes when they think about integration, apparently have superficial notions about what we have in mind, and think solely in terms of proper conduct on trains, hotels and their deportment in public places, but integration, which is throwing black men and women into directive and administrative channels of society demands far more than command of social niceties. If the Supreme Court in December declares separate schools shall be abolished, we will across a period learn how to adjust ourselves to the new environment, but our notion is one of the steps in the right direction would be for our Negro school principals to assume the position of Principal H. F. V. Wilson, down at Ardmore, and expose the Negro boy and girl to programs of social planning and organization.

Just think of it! A campaign is on in France at the present moment to elevate a Negro, Gaston Monnerville, from French Guiana, to president. This black man has already been honored as president of the French senate, so that there are possibilities there may be some reality to this suggestion, and while this has nothing directly to do with integration in the United States, it does give one more of the total picture of what is going on in this world today, with respect to dark people. It certainly proves the destiny of the black man can be pictured as something that did not exist as recent as a half century ago.

Negro principals meeting last week in the Oklahoma Association of Negro Teachers, gave much time to the question of integration. We trust as a first step in that direction the Negro group will accept the tentative suggestion made by the white group, that the two bodies unite. The Black Dispatch is sure the first arrangement will not be completely ideal, but it is a step in the right direction, and one that should be made immediately. While the program of integration has not yet rooted itself in the Oklahoma school system, the Negro teachers should realize already 150 well trained Negro instructors are now teaching in white colleges and at least 200 former Oklahoma Negro instructors are at the present time teaching school in Arizona and California at higher salaries and far more pleasant surroundings than formerly in the Sooner state. The program of integration for many Oklahoma teachers can be given a shot in the arm by the simple expedient, "Take up your bed and walk."

But back to the young Negro and his approach to life and things. To get in step with the young people of the world, such as the young Chinese, the young Yugo-Slavs, the young East Indians, and the young South Africans, the young Negro in American schools must stop so much time reading the funny paper and going to sorority and fraternity dances. If the black man takes his rightful place in the realm of Twentieth Century integration, more serious matters must claim his immediate attention. In the days of vain protest all the black man needed was a pair of leather

lungs and ability to yell loudly, but today the challenge comes to clear thinking and wise judgments. Today as never before we must requisition all of our intelligence if we find our rightful place in the atmosphere of equality.



tions are in direct proportion to the opportunity given."

He concluded his paper with five specific recommendations as

to how this nation can implement an integrated policy in world affairs and take advantage of the saga of the colored man.

**Lists Recommendations**

The recommendations called for:

1. Appointment of a Presidential Commission to survey State Department policies with an

Morris Siegel, an anthropologist formerly on the staff of the United Nations, points out in his article, "Race Attitudes in Puerto Rico," that despite the fact there is color-consciousness in Puerto Rico, Puerto Ricans have avoided to the greatest extent the poison of racism, particularly among the middle classes.



cialists in New York served as an intelligence officer to Col. B. O. Davis during World War II and during the 1952 Presidential campaign was consultant to the National Citizens for Eisenhower-Nixon team.

He is author of the book "The Negro Soldier in World War II."

## Experts Quoted

### On Sex Study

The following scholars commented on the Kinsey reports omission of Negro women:

DR. CHARLES S. JOHNSON, president of Fisk university and a sociologist, Nashville, Tenn.

DR. FRANKLIN FITCH, director of marriage courses at Northwestern university, Evanston, Ill.

DR. EDWARD N. PALMER, professor of sociology, Hampton institute, Hampton, Va.

Dr. Llewellyn Quemmer, chairman of psychology department at Southwestern university, Memphis, Tenn.

MISS MARTEL TRIGG, assistant professor of sociology at LeMoyne college, Memphis, Tenn.

Dr. H. E. Horace Fitthett, assistant professor of sociology, Howard university, Washington, D.C.

REV. HORACE WHITE, psychologist at the Lapeer Consultation center of the Michigan Department of Mental Health, Detroit.

# Omission Of Negroes From Sex Study Arouses Scholars

The omission of Negro women from a study by Dr. Alfred C. Kinsey of the University of Indiana this week evoked comment from a number of famous scholars in the fields of psychology and sociology.

In general they agreed there was no justification for excluding Negro women from the study of the sexual behavior of the human female.

However, most were of the opinion that a separate study of the sexual habit of Negro women would be useful.

The scholars and their comments follow:

DR. CHARLES S. JOHNSON: "There is no rational justification for separating and omitting Negro women from the Kinsey study but frequent popular myths and distortions regarding Negro women could have the effect at this time of attributing the reverse revelation of the study to this small element if included.

"The exclusion of Negro women simply means the title of the study is too general.

"The inference for Negro women is that, presumably, class by class there is similar behavior but fortunately for them the behavior is not so meticulously documented, for in the inference itself necessity is found."

DR. FRANKLIN FITCH: "I can see no justification for omitting Negro women, but I think a report on a small number would have been unfair sampling. Presumably some of the material appeals to Negroes as to general behavior experience but this is only a presumption.

"The sex tables of white women would probably be about the same as those of Negro women but I would suggest a comperable study of a large group of Negro women.

"In general this book is not of too great value to lay people since it is primarily for workers in the field. It could be better interpreted by those in the field. Lay people might be led astray by it."

DR. EDWARD N. PALMER: "No, I can not see any justification in not including Negro women. Of course, the same thing was done in the first Kinsey re-

DR. HORACE H. E. FITTHETT:

"I do not see any justification for separating Negro women from other women interviewed unless we assume that Negro women have a different sexual behavior pattern. I believe women of the same economic and social class in America, according to class, or color have about the same sexual pattern. . .

"The value of the Kinsey report is that it may tend to increase the degree of objectivity with which we view certain problems relating to sex that we have been covering up with prudish attitudes. . .

"Since we assume all women in America, according to class, have about the same sexual pattern there is no need to study the Negro as a separate group. However, a separate study might blast certain stereotypes about Negro women."

THE REV. HORACE WHITE:

"It makes no difference whether Negro women were included in the report or not to arrive at conclusions in the report. They have the same mores about sex, and come from the same religious conditions as all other women in America.

"Separating Negro women as such could indicate a bias on the part of Kinsey and his staff but the results of the report would not be effected thereby. . .

"The value of the report is tremendous. I think it shows that the sex habits of men and women are similar depending upon the cultural patterns both may be living through simultaneously.

"Anyone who tried to draw an inference about Negro women suffers from a great feeling of inferiority and has done the Negro woman an injustice. . .

"We, as Negroes, have always known that Negro women's standards and modes of behavior sexually are not different from the white women. Dr. Kinsey has given us scientific information."

DR. LLEWELLYN QUEMMER:

"There is no justification for leaving Negro women out of Kinsey's sample. However, I cannot interpret this as a slight to the race except that someone saw fit to read such an inference into it. "If Negro women had been included and the "social class variable constant adhered to, there would have been no difference in the report.

"The report is valuable in that it lets people know where they stand in their own behavior as compared with the national behavior."

MISS MARTEL TRIGG:

"I can see no justification for Kinsey's omitting Negro women from his sample. A woman is a woman and whatever difference there is to be found is due to class levels.

"A study of Negro women would only prove again that the behavior of people are much alike, white or Negro."



# Union Paper Urges End To Racial Bias

BALTIMORE — (ANP) — The Union Bulletin, official organ of the Baltimore Typographical Union, No. 12, International Typographical Union, attacked discrimination in a front-page editorial, "Prejudice Hurts the Workman," in its September issue.

Declaring that "free organization of working people can exist only in a free and democratic atmosphere," the Bulletin explained why it was attacking discrimination. "We are interested in keeping our society free and democratic, for freedom is the only medium in which we can live, and we must recognize that in fighting discrimination we make our society free."

"It is no more coincidence that whenever discrimination is strongest, there unions are weakest. One of the basic principles of good unionism is unity. And yet, how many of us are actively aware that discrimination makes unity impossible and that therefore discrimination is a menace to unionism? In a community where intolerance prevails, it is possible to organize a strong union."

Adding that employer exploitation of group antagonisms keep wages low, the editorial says, "It makes sense then, for every union for its own protection, to seek out discrimination and fight it wherever it exists."

"It is unrealistic to think that workers, by the simple act of joining a union, shed themselves of prejudices of their communities. In periods of economic stress, in periods of widespread layoffs, the unions are put to their severest tests, when unity is essential as never before. Employers are skillful at ferreting out the existing prejudices, playing them off against group, thereby undermining the unity of the membership and destroying the union's effectiveness."

The editorial concludes, "It does make practical sense for unions to institute educational programs among their own membership to combat intolerance. It makes practical sense for unions to educate their members to the fact that discrimination has a bad effect on own pocketbooks."

A Negro member of the union, Joe Adamore, former Washington Times-Herald printer, said he noted after the editorial's appearance a marked change of more friendliness toward him at the Baltimore Sun papers offices where he is the only colored printer employed. Adamore has been employed at The Sun for several months.

## Church Women Hit Segregation

ATLANTIC CITY — (UP) — The United Church Women of America went on record Thursday as favoring the end of segregation in all of the nation's public schools.

A resolution stating this stand was adopted by 2,000 delegates attending the group's sixth annual assembly.

The UCW represents 1,000,000 Protestant church women in the 48 states, Canada and Hawaii.

## Our Opinions Nixon Makes Sense

Vice president Nixon got an editorial spanking the other day for "babbling some nonsense" about the brown and yellow men of the Orient distrusting us if we don't admit Hawaii to statehood because he said they would view it as prejudice against Orientals.

The Chicago Tribune which does some odd reasoning on international matters loudly complains that Mr. Nixon has done this country irreparable harm. It feels he should not be allowed to travel overseas because he has gone and put some ideas in the Oriental price of good will with the USA.

We don't think Mr. Nixon was babbling nonsense, in fact, he was talking an awful lot of sense when he said that if we admit Hawaii we shall have proved that in our eyes the Oriental is a brother.

The painful howls aren't from the stupid heads which weren't there before. The Tribune fears he will now raise the ante on the blunder of Nixon, but because he has pulled the cover off the nightmare fears of some white folks that a 49th state of dark folks raises all kinds of possibilities of having some senators and representatives who would in all likelihood support such democratic legislation as for example a federal anti-lynching bill or a compulsory FEPC law. Two more senators could tip the balance between the liberals and the states righters.

The editorial says that it is none of the Asian's business what happens to Hawaii, and that Mr. Nixon has forgotten all about our kindness to the Oriental, proving already our good will towards them.

If Mr. Nixon had kept his big mouth shut, so the Tribune implies, then these stupid jerks would never know how high a value is placed on their friendship and we would still be free to go on hypocritically handing out a few gifts and craftily extracting a pound of flesh for every ounce.

Then in a masterpiece of self-contradiction, the Tribune admits that the Oriental is an experienced bargainer. Now how high is high? - we'd like to know in bargaining for good will. After centuries of exploitation by the white man, we doubt if the price that

the Asian asks could ever get too exorbitant.

Bravo Mr. Nixon! We hope he'll go on telling the truth instead of mouthing some diplomatic platitudes which don't mean a thing.

## Between The Lines

By Dean Gordon B. Hancock for: ANP

### One Hindrance To Integration

The problem of the deaf-mute is one of communication. With the faculties of sound and vision impaired the deaf-mute can neither receive communication from his contemporaries nor can he effectively communicate with them. Most social problems—if indeed not all of them—stem from lack of effective communication.

The chief difference between wild animals and tame ones hinges about the self-same matter of communication. Tame animals and their tamers have certain means of communication unknown to wild animals and "wild" men who would destroy them. The major trouble of the present world where color consciousness afflicts the hapless sons of men is one of communication.

The current system of segregation in most effective way destroys or neutralizes the current means of communication between the segregated and those who segregate them. The dreadful affliction of race prejudice is in the last analysis a problem of communication, for interracial and inter-group understanding definitely follows improved means of communication. The point herein stressed is closely related to this matter of communication.

Today the one word above all others is being passed along is "integration." The forthcoming decision of the Supreme court is being impatiently awaited by both whites and Negroes, the whites are planning, in ways not announced, for the projected decisions.

Just as Herman Talmadge and

Jimmy Byrnes have thought of "bawdy" ways to thwart an anti-segregationist decision, there are other plans in the offing. Whites do not lay all their cards on the table, face up. Negroes are more inclined to set the world on notice what they are about.

Strong football teams use power plays while weaker teams employ strategy. Strategy should therefore be a factor in the struggle of minority groups, with its element of surprise.

There is always the danger that Negroes will talk too much for the good of their cause. It is largely a matter of letting enthusiasm run away with sober judgment and mature planning. If there are any Negroes with constructive plans for integration, this column has not heard of them. We are just going along hopefully and trustfully, hoping for a favorable decision. Just what we are going to do if the decision is favorable, we have no way of forecasting, although we know that certain antecedent preparations are indicated.

The burden of getting the Negro masses ready for integration is on the Negro intelligentsia. Aside from hoping that we get a favorable decision in the court, we wonder what are our schools doing to prepare Negroes for integration. What are our pulpits offering in the premise?

It seems almost childish to presume that the change from segregation to integration can be affected without a minimum preparation both on the part of whites and Negroes.

One of the great hindrances to full integration is the failure of privileged Negroes to assume responsibility for the underprivi-

leged of the race, although this body of this death" may well to his more fortunate brother, gation, there will be no lessening of this indissoluble relation between the upper and lower strata of Negroes. From time to time this office am who shall deliver me from that the lowly Negro is chained cision is for or against segre-



receives communications from deeply concerned souls, relating to the Negro's crime and murderousness in our large urban centers. All manner of crime is being reported with a corresponding increase of prejudice and segregation in northern and eastern urban centers, where hitherto Negroes have enjoyed a fractional privilege unknown in the south.

The point is, the upper-class Negro is entirely too far from his under privileged brother! We are too prone to betake ourselves to our fine homes and expensive cars and publicized degrees and leave the lowly Negro to do the best he can.

The burden of formulating a program to facilitate integration is on the Negro with high degrees and prestige and privilege.

The lack of effective communication between the upper and lower strata of Negroes not only explains much of the delinquency and naivete of the lowly Negroes, but it is a hindrance to the much desired integration. Believe it or not, the privileged Negro is his brother's keeper.

The Jew through much suffering has learned this all-important lesson. How much more suffering must we endure before we too shall learn it?

## Political Integration

We had a large number of people stop us this week and compliment the editorial last issue captioned, "Getting Ready for Integration," and said we hit the nail squarely on the head when we said that what is happening in the world today is a very challenging situation, in that it requires Negroes to inaugurate an action program in consonance with the freer atmosphere in which they live.

We pointed out in that article a black man was unquestionably going to be the president of the Borough of Manhattan, and last Tuesday this happened. An American Negro now is head of one of the largest political sub-divisions in the United States. It is proof positive that not only in Mississippi and Oklahoma, but in the Caribbean Islands, from whence Hulan Jack, the new president of the Borough of Manhattan comes, Negroes should start now to learn more about the science of government.

What we have to say, however, this week about politics has nothing to do with training Negroes how to run for office who were born in the Caribbean, but it does tie into what Negroes, who live right here in Oklahoma, should start doing immediately if they expect to salvage anything substantial out of next year's election. The time for action is just ahead, with both parties planning for precinct caucuses and party organization. The black man in Oklahoma should proceed now to get in on the ground floor.

Hulan Jack, when he came over from his island home to the American mainland, was not stupid enough to try to organize a jim crow political organization. Jack came over and immediately identified himself with such Democratic organizations he discovered were functioning in the city of New York. He worked assiduously with these organizations until last Tuesday whites with blacks elevated him to the top post in the Borough of Manhattan.

Here in Oklahoma Negroes have been misled by leadership which has insisted the Negro could go places politically in a jim crow set-up. There was during the life and times of Dr. I. W. Young organized what was called the Negro Democratic Central Committee, a segregated political set-up denounced in his day by former Governor Marland, who said then, as the Black Dispatch says now, the Negro vote in Oklahoma should be directly blocked into the body of the authentic Democratic organization of this state.

For many moons this publication has been fighting down this political organization offering only second class citizenship to Negroes, and in the last campaign we had the full and complete satisfaction of seeing the useless carcass of an Uncle Tom era carted off to the gully of oblivion, and we saw an honest effort in the state Democratic headquarters to offer black voters a seat of equality in the state Democratic headquarters at Main and Broadway in Oklahoma City. Efforts were made during the last campaign to organize more Negroes in precinct organization than ever before, and this is the type of work that should continue.

Of course there cannot be expected to be too much enthusiasm among the old line Negro Democrats for this new way of life, but we are making an appeal to the younger men who have reached their maturity during the past decade, to re-enforce the black man's political position by securely blocking themselves into their precinct organizations in the counties and cities where they reside. This is the only way to secure substantial recognition from the party. Surely Oklahoma's young Negroes are not going to permit the sins of the fathers to be visited upon this generation when they can prevent it.

As a preliminary step we suggest Negroes all over Oklahoma go to their Democratic and Republican county chairmen and tell them at this early date they plan to hold a precinct caucus in their precinct this year and ask for specific instructions as to how to proceed. The election machinery is now in the hands of Democrats in this state, and with Republicans making strenuous efforts to organize Negroes for the next election, we suspect county Democratic chairmen will be more responsive to this request than ever before.

Here is the most vital place in county organization. Negroes should attempt to integrate themselves. Don't start blaming white people for jim crowing you until they have turned down a serious and positive attempt made by Negroes for integration. We tell you now that political integration is the most important thing you can effect in your county, and the time to start this job is immediately before you. Negroes are already integrated in the larger counties, such as Tulsa, Muskogee, Oklahoma, Creek, and perhaps a half dozen more, but in the hinterlands nothing along this line has been done, especially in that area of Oklahoma known as Little Dixie. We recall delivering a political address in southern Oklahoma several years ago, only to discover when we arrived the Negro who called the meeting, as the county head of the Negro Democratic Central Committee, did not know the meaning of the term "precinct," nor did he know the precinct in which he lived.

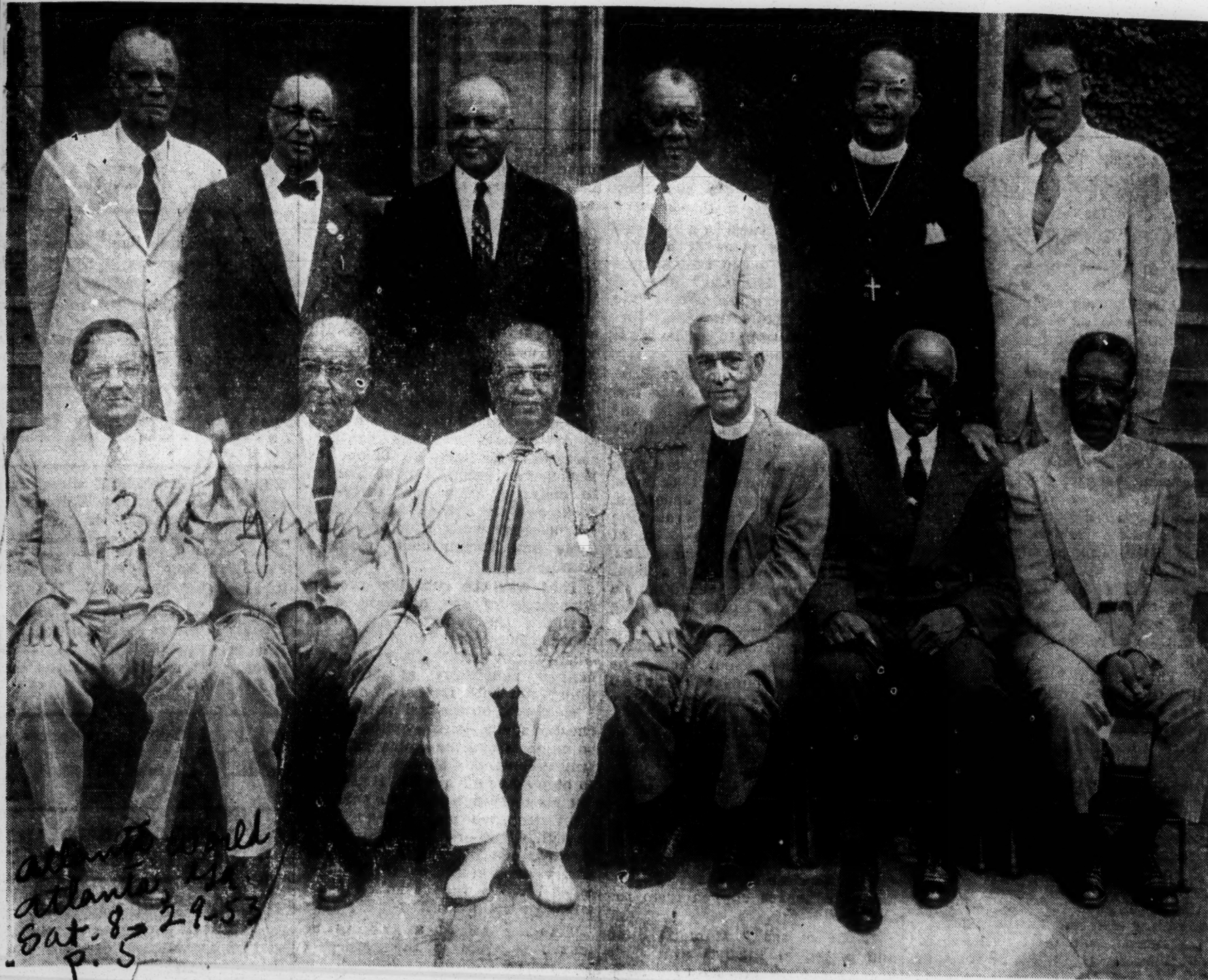
In a precinct caucus delegates are elected to county conventions, where they have a chance to determine who the county chairman will be, and in a state convention delegates have a chance to help in the selection of the state chairman. It is in the Democratic organization in Oklahoma, which dominates the political scene, one has opportunity to exercise his political equality. We must be on the inside looking out, instead of traditionally being on the outside looking in.

Don't allow these phony "gradualists," who at heart are cowardly Uncle Toms, who want to use the Negro masses as stepping stones for their own selfish purposes, to mislead you any longer. We can drive a better bargain having to do with the common weal if we will simply exercise an American privilege in the broad field of political integration.

While the old defunct Negro Democratic Central Committee is dead, there are still a few who would like to breathe life into its stinking old hulk, and this is written for the reason we wish to thwart their feeble efforts completely. What we are discovering quite rapidly just at this time is that white liberalism today is actually riding higher than the spirit of a large proportion of the Negro group. That is to say, millions of white people today are actually willing to accord rights and privileges to Negroes for which America's inhibited minority are afraid to ask.

We can end this statement right here by urging every thoughtful Negro in Oklahoma to start now in his or her county to launching a program having to do with political integration. The old Negro Democratic Central Committee was solely interested in selecting a half dozen jobs for as many Negroes, but political integration will make it possible for the masses to demand mass employment, better health and educational standards, more substantial relief for the aged and infirm, and all of those things having to do with general prosperity.





**FLAYS JIMMY BYRNES' APPOINTMENT TO U. N. POST**—Cleveland, Ohio—(SNS)—Shown (above) the twelve A.M.E. Zion bishops, who attended the Connectional Council and Bishops Meeting held in Cleveland, Ohio, recently. They are, left to right: (seated)—William M. Slade, John W. Martin, William J. Walls, Cameron C. Alleyne, William C. Brown; and James Clair Taylor, presiding prelate of the First Episcopal District, Alabama, Standing (left to right);

Hampton T. Medford, Raymond L. Jones; William A. Stewart, newly-elected chairman, Board of Bishops; Daniel C. Pope, Herbert B. Shaw, and Stephen G. Spottswood, retiring chairman of the board. These "Big Guns" of the Connection, along with some 890 ministers, laymen and church officers, presented issued a plea for world freedom and a blast against the appointment of South Carolina Governor James F. Byrnes' to the United Nations headquarters.

## Segregation Losing Ground In Midwest

To the Editor:

Not long ago I had occasion to make a trip through several Midwestern states, including Indiana, Illinois and Minnesota. I was much impressed by the social changes manifesting themselves in these states in regard to racial differentiation.

For instance, the registers of the best hotels in some of the cities of these states are now open to Negroes. I was told that this was not done a few years ago. While I was in Chicago a colored family had just moved into a government housing project heretofore occupied only by white families. At the time it required a sort of platoon of policemen to protect this colored family from its new and irate neighbors. Nevertheless, regardless of community sentiment, the Housing Authority took this step in an effort to eradicate the "disgrace of segregation," as it is termed by our president.

It was also noted in and of the Chicago papers that the attorney general of the U. S. is expected to argue the school segregation cases before the Supreme Court. The fact of his appearance should be a great help towards giving us non-segregated schools.

Now, if the Eisenhower supporters in Alabama and other Southern states will join forces with our president and aid him in his hammer blows against segregation, this social standard may finally disappear from our land.

W. H. HUDSON.

2129 36th Avenue, North.



# Discrimination In Handling Crop Loans

Gov. Jimmy Byrnes Caused Reversal Of Policy;  
Secretary Benson Got Caught In The Middle

BY DREW PEARSON

WASHINGTON

HERE IS THE inside story on how Secretary of Agriculture Ezra Benson happened to reverse himself regarding the anti-discrimination clause for banks handling cotton-support loans for Southern farmers.

It was a triple play from Columbia, S. C., to Denver, Colo., to Washington, D. C., that did it. Gov. Jimmy Byrnes of South Carolina communicated with President Eisenhower in Denver, and Denver communicated with Secretary Benson in Washington. Benson, himself, would never have reversed his earlier policy of requiring banks who pledged cotton price support loans to sign a clause pledging no discrimination against Negroes.

Abandonment of the clause has caused a furor among Negro leaders, but has probably helped the administration's position among white voters in the Solid South, where Chairman Len Hall is anxious to keep the record vote which Eisenhower piled up there last November.

The anti-discrimination clause, decreed by President Roosevelt in 1943 for government contracts, had not hitherto affected bankers handling crop loans. Secretary of Agriculture Brannan had not had to cope with the problem in the Truman administration, though he did apply the clause to cotton ginneries and cottonseed crushers.

About a year ago Brannan required the crushers and ginneries to sign the anti-discrimination clause if they were handling cotton or cottonseed under the government loan program. Some of the ginneries and crushers protested, but Brannan stuck to his guns and the clause was signed.

Negroes' Political Power Cited

## Magazine Avers Segregation Is 'On the Way Out' in U. S.

NEW YORK—Growing political power of the Negro, girded by a succession of U. S. Supreme Court decisions against Jim Crowism and the general breakdown of segregation are listed by Newsweek magazine's Sept. 7 issue as major factors in the erasing of the color bar in America.

The magazine asserted that most Southerners, despite the threats of bloodshed and terror, are more or less resigned to the fact that Jim Crow is dying and "an increasing number accept the inevitable."

Also weighing heavily in Newsweek's opinionating is the tremendous \$1,000,000,000 price tag set upon the making of Negro schools equal to those of whites.

The article said, in part:

"The disintegration of segregation already has started in the colleges and universities. Arkansas, for example, has opened graduate facilities to Negroes in seven of its colleges. At least three municipal junior colleges in Texas now admit Negroes, too. Among the private institutions of the South, twenty-nine or thirty have Negro students. And the bars are coming down in the Catholic universities like Loyola and the Notre Dame Seminary."

"One of the major reasons for this has been the succession of U. S. Supreme Court decisions forcing the South to provide equal facilities for Negroes. In many cases, this proved impossible except by admitting Negroes to white schools. The South has done so with surprisingly good grace. No responsible official has ever suggested defying the court."

"Another reason has been the breakdown of segregation generally. The schools of the South naturally reflect the social pattern of the South, and with the

growth of industrialization, the social pattern has changed markedly. The new, booming industries were forced to hire Negroes; in self-preservation, the unions were forced to admit them. White Southerners in the big cities, who are working side by side with Negroes, don't feel nearly so intensely about segregation as white Southerners in the back country . . . .

"Actually, a Supreme Court decision banning segregation in the schools would not end it overnight. It might hasten the end, but even that isn't certain. For one thing, residential segregation alone will provide effective school segregation in most of the South. For there are very few communities in the South where Negroes and whites live side by side. Thus, even normal school districting would result in segregated schools. If the Supreme Court outlaws segregation, Southern states no doubt will do a bit of gerrymandering of school districts to separate the Negro and white children in mixed neighborhoods. This will be especially easy in Mississippi, where school districts need bear no relation to geography."

"And no ruling of the court, according to Southern lawyers who have studied the question, could prevent segregation within a school, with different classes for Negroes and for whites."

"All the Southern states will not resist mixed schools, however. Governor Frank Clement of Tennessee has not issued any statement on segregation in the

schools, but the general feeling is that, if the Supreme Court rules against it, Tennessee will simply start admitting Negroes to white schools. This probably will generate some heat in the western part of the state, but most observers feel it will be short lived. Only spotty reaction is expected in middle Tennessee and even less in Eastern Tennessee, where there aren't many Negroes anyway.

**POSSIBLE DECISION:** Thus, even if the Supreme Court should order segregation ended immediately, it won't be. The breakdown of segregation will remain a gradual process. Most Southerners, however, while they expect the court to declare that segregation violates the Fourteenth Amendment, believe that it will call for a transition period and not for an overnight change. They base this belief on the questions the court asked Attorney General Herbert Brownell Jr. and the lawyers for the National Association for the Advancement of Colored People to discuss when they argue the constitutionality of segregation.

"Senator Walter F. George of Georgia, for one, insists that at least two of these questions indicate the court has already decided to end segregation but over a period of time. Stripped of legal verbiage, the questions are: (1) if the court has the power to interpret the Fourteenth Amendment as requiring an end to school segregation, does the court have the right to permit a gradual transition from segregated to integrated schools? And (2) if that is true, how should the change-over be worked out?"

**Administration on Spot:** Politically, the argument before the court will place the Eisen-

hower Administration in something of a predicament. If Brownell, who is appearing in the role of "amicus curiae," fails to press forcefully for a ban on segregation, the Republican party's chances of recapturing the Negro vote will be materially decreased. On the other hand, if Brownell does make a strong plea against segregation—and if the Supreme Court then votes to outlaw it—the progress toward building a two-party system will be impeded.

For Brownell's actions and the court's decision inevitably will be identified with the Eisenhower Administration in the South, even though most of the members of the court are Democrats. And the reaction against the Republican party in each Southern state will be directly proportionate to how intensely it feels about segregation. Mr. Eisenhower does not stand to lose as much support in Kentucky, Virginia, South Florida and Arkansas as elsewhere, particularly Georgia, South Carolina, Alabama and Mississippi.



# Mrs Hobby Tells Graduates Of High Cost Of Prejudice

DELAWARE, Ohio—(SNS)—Mrs. Oveta Culp Hobby, secretary of the U. S. Department of Health, Education and Welfare, told members of the 1953 Ohio Wesleyan University, that "prejudice is costing us tax dollars in what must be astronomical amounts."

Mrs. Hobby reminded the graduates that "It would be difficult to estimate that racial prejudice costs us here at home."

"Some economists place the total cost of discrimination—while diminishing—in our country at from \$15 to \$30 billion a year because of people not allowed to reach their full potential, not permitted to earn the salaries their work merits, and therefore not able to expand the domestic market for the goods we produce, or to pay the taxes they would be paying were they realizing their potential."

## PROGRESS OR BIAS

Mrs. Hobby outlined the development of prejudice in her speech to Ohio Wesleyan graduates.

She said: "The classification of mankind by races did not begin to permeate men's emotions until well after America was founded. The historic group of 20 Negroes who landed in Jamestown in 1619 were indentured servants with the same status as white indentured servants. In the early days of slavery in this country, popular ethic held that as soon as an African became a Christian he should be free."

"But as the entire agricultural economy began to grow on the basis of slavery, the ethic became unpopular. At first many planters refused to allow ministers or missionaries on their land, and then in 1664, the Maryland legislature ruled that baptism no longer meant freedom. Gradually—perhaps as a slave to conscience—the theory grew that would satisfy both the demands of Christianity and the private economy."

"But America was not alone in her prejudice—judgment of men—based on race was developing as a quack science at the same time in Europe."

"Two men, one French and one English, developed the fad of Nordic superiority which Germany was to carry through to a tragic conclusion."

"Count de Gobineau wanted to prove the superiority of his own

family tree, and wound up writing a book in which he said—that there is a unique strain within the white race of marked superiority to all others. He called it Aryan."

Mrs. Hobby, only woman cabinet member under President Eisenhower, continued:

"From England and France came the sweeping race theory which was to produce Nazism, start World War II, and destroy the very culture which they sought to defy."

"Yet obviously false as these theories were, some of their evil seeds took root in America."

"When America was founded, this was the land of opportunity and free men. You tested a man for courage, industry, honesty and the other Biblical virtues, and valued him accordingly."

"Many Americans began to blame an individual's faults not on his lack of schooling, not on his slum background, not on his impoverishment, but on his family atmosphere, but on his race or national origin."

## President Replies to Questions

By ALICE A. DUNNIGAN

WASHINGTON (ANP)—President Eisenhower last week assured Cong. Adam Clayton Powell that his Administration had not and "shall not take a single backward step... There must be no second class citizens in this country."

This statement was made in a letter to the New York Congressman in reply to an inquiry concerning a memorandum he said

was sent by Mrs. Oveta Culp Hobby, secretary of the Department of Health, Education and Welfare, to the Secretary of Defense, Charles E. Wilson, requesting that he refuse to carry out the President's order regarding integration of schools on Army posts.

REPRESENTATIVE POWELL also reminded the President of a letter which was supposed to have been sent to the White House by Secretary of the Navy Anderson admitting that racial segregation does exist in the Navy Yards in Charleston, S. C., and Norfolk, Va., and expressing the Navy's intention to continue this policy.

He further informed Mr. Eisenhower of correspondence he had received from Admiral Boone, chief medical officer of the Veterans Administration, reaffirming the policy of segregation in veterans hospitals in certain areas and declaring that such policies would be maintained to conform with "local customs."

In reply to these situations, the President said he would carry out every pledge which he has made in regard to segregation. He said:

"I shall continue to devote my earnest efforts to advance both the spirit as well as the fact of equality. I believe that the fight to achieve tangible results will be increasingly successful."

HE TOLD Powell, however, that the spirit of these objectives can not be achieved as a result of the action of any one person, but that all must plan and work together to win the victories and not be content until the goal has been reached.

In replying to Mr. Eisenhower's letter, Powell called the President's answer a "Magna Charta for minorities and a second Emancipation Proclamation."

He expressed his satisfaction at the President's statement and agreed that these objectives could not be obtained by any one individual, but he said there are several things which the executive branch of the government can do without waiting for any action from the legislative or judicial

branches. He suggested:

(1) The President can continue and implement the (Federal) Fair Employment Practice Commission established by Executive Order 9980, stated Powell's letter.

(2) He can continue and strengthen the committee on government contract compliance.

(3) The policy of segregation in shore establishments of the Navy can be changed.

(4) The policy of the Federal Housing and Home Finance Agency of giving aid to segregated housing can be changed by executive action.

(5) Discrimination in the Department of State, which now allows only fifty Negroes in foreign service out of 6,000 employed, should be discontinued immediately and opportunities extended to all people.

REPRESENTATIVE POWELL expressed appreciation for the complete cooperation which he has received from the White House staff and assured the President that:

"As long as we pursue the same objective, and as long as victories are won, one by one, and as long as we are not content 'until we have gained our goal,' I most wholeheartedly and sincerely pledge you my support."

He reminded the President, however, that whenever and wherever he found any instances which seemed to indicate that any of the administration's official family is not cooperating with the chief executive's program, he would communicate with the proper persons on the White House staff.

## U. S. SCORED ON COVENANT

Jewish Spokesman Hits Move to Drop Human Rights Talks

Special to THE NEW YORK TIMES. GENEVA, July 6—The United States decision to dissociate itself from efforts to establish an international covenant of human rights was sharply criticized today by a spokesman for the World Jewish Congress.

Dr. Maurice L. Perlzweig of New York, head of the international relations department of the Congress, said that Jewish organizations in more than sixty coun-

tries, for whom he spoke before the committee of the United Nations Economic and Social Council, would continue the fight for a binding international agreement in this field. He charged that the decision to abandon the effort to reach an agreement on the covenant was merely a reflection of a temporary world political situation.

Dr. Perlzweig supported that aspect of the present United States position calling for annual human rights reports from member countries to the United Nations, but said this was no substitute for a binding legal document.

## Where Was Dr. Imes?

Dr. G. Lake Imes, in a letter to the AFRO last week, insisted that Phillips did not make a speech justifying and defending segregation.

It seems that Dr. Imes, who is vice-president of the Booker T. Washington Birthplace Memorial, was the principal speaker on that occasion.

The occasion was the dedication of the new highway named after Tuskegee's founder.

But in the same mail with Dr. Imes' letter came from Mr. Phillips a mimeographed report of Mr. Phillips' speech.

Among other things Mr. Phillips said, according to Mr. Phillips:

"The circumstance of the segregation system has been of overall benefit to the Negro."

"The economic progress of the Negro as achieved, and as presently enjoyed, is due in large measure, if not in practical entirety, to the pattern of segregation."

"The considerations should also recognize certain customs and habits through which economic advantages accrue to the masses of Negroes under the segregation system."

Need more of the sickening discourse be repeated.

If this isn't a defense and justification of segregation, the English language simply doesn't mean what it says.

Perhaps Dr. Imes couldn't hear because of the thunderous applause of white Virginians.

Or it could be he arrived a bit too late to hear this latest dangerous bid to make the front pages of every daily in Dixie.



# Prepare For Integration, Hastie Tells Talladega Grads

TALLADEGA, Ala. — Lauding the rapidity of racial integration and deploring many of the problems it offers, U. S. District Judge William H. Hastie told Talladega College graduates that the "only useful purpose of race consciousness is to enable us to work together to achieve the day when we can lose race consciousness."

The commencement speaker declared that the main problem facing the American Negro in a changing society is to throw off the "psychology and the habits of inferior and segregated status as fast as external barriers and impediments are removed."

Judge Hastie posed a single question. "Integration," he asked, "when did we start using that word in talk about race relations?"

## RACE RELATIONS

He asserted he was unable to remember its use before the 1940's to describe the evolution of American race relations. The word, he said, had no importance until people began to take the idea seriously.

"Now the word is a commonplace and the idea is taking root in the thinking of countless Americans."

However, Hastie declared, "This change has come so fast after the disheartening period of the first quarter of this century that it created a problem of adjustment and reorientation for Negroes themselves, no less than others in the community."

## INFERIOR STATUS

"Heaven knows we never enjoyed inferior status, we never have been happy about Jim Crow. We have not been pleased with our isolation from the main stream of American culture."

Then painting the other side of the picture, Judge Hastie asserted that "We have become accustomed to these things. Forced upon us, they have become group and individual habits. A great effort is required to the end that within ourselves and in our dealings with others we may throw off the psychology and the habits of inferior and segregated status as fast as external barriers and impediments are removed."

Judge Hastie quoted several baseball officials as saying that Negro players who had lived in a segregated community before breaking into the major leagues faced a tougher situation than those who had lived in non-segregated communities.

In the former group, Hastie said, "They tighten up and stay tightened up," and predicted that "many of them will never be able to play their best game in the big league."

"I have often regarded that statement as the worst possible indictment of segregation," Hastie declared, "for it is the picture of what segregation does to the segregated."

"Moreover," Hastie said, "it sums up a major problem which so many young Negroes must face from now on as they find more and more opportunities to live and work and play outside of the ghetto."

Depicting some of the problems facing the present Negro, Hastie said that, "Any morning a Negro may have to fight vigorously and even bitterly against some racial injustice. He must be what we call a 'race man' and rally others to fight together as Negroes for justice."

"Yet the afternoon of the same day," Hastie declared, "in totally different circumstances, he may find himself dealing with white persons on a basis of dignity and equality where race is not permitted to make any difference."

# NEGRO DEFENDS SEGREGATION --- HELP TO RACE

Booker T. Washington Birthplace, Va., July 3 (AP)—A Negro leader Sunday defended the South's traditional segregation system as having been "of overall benefit to the Negro."

Sidney J. Phillips, president of the Booker T. Washington birthplace memorial here in Virginia's Franklin county, said his race has achieved notable progress under segregation policies.

"The economic progress of the Negro as achieved and as presently enjoyed is due in large measure, if not practically entirely, to the pattern of segregation," said Phillips, a former professor at Tuskegee institute.

He made his remarks—in sharp contrast with the anti-segregation views expressed by most Negro leaders in recent years—in a speech dedicating the new Booker T. Washington

memorial highway in this area.

"The circumstances of the segregation system has been of overall benefit to the Negro," said Phillips.

"Handicapped as he was on emerging from slavery, it has given him a field of his own to develop. Within that field, he has had opportunity to work out his own destiny, to find himself, to grow to man's estate without the competition with which he could not have coped had the circumstance been otherwise."

Phillips said the dual system "has made the Negro look to himself, in large measure, for his earnings, his property holdings, his achievements, the respect he commands, and even the popularity he enjoys."

"Had it been otherwise, the identity of the Negro would have been lost, his personal accomplishment stifled, and advancement of the race as a whole probably retarded in greater detriment to the masses. Men are made stronger on realization that the helping hand they need is at the end of their own right arm."

"I believe in any consideration of the matter of segregation, these things should be taken into account. The consideration should also recognize certain customs and habits by which economic advantages accrue to the masses under the segregation system."

# BATTLE OF JIM-CROW COKE MACHINES WAXES

NEW ORLEANS, La.—(ANP) — The battle of Jim-Crow Coca-Cola vending machines, seen in some southern cities, continued to wax last week.

The Southern Patriot, which first uncovered the practice, denied that its story misrepresented the facts. The Patriot, published by the Southern Conference Education Board, Inc. (SCEF), in an earlier issue printed a picture of a Coca-Cola machine with two spots, one for Neroses and another for whites.

Several publications picked up the story and some of it reached as far as India.

In commenting on charges that the facts were misrepresented, Patriot said in part:

"There was no misrepresentation of the facts of the case in the Patriot. Indeed, after running the story—reprinted from a story in February to correct a misunderstanding a reader has expressed."

"It does not befit a company as rich and powerful as the Coca-Cola to quibble over an admittedly unfortunate occurrence that could so easily be thrust into the forgotten

past by positive action on its part."

The Patriot then questioned the employment policy of Coca-Cola as it applies to Negroes. It raised the question:

"Is there or isn't there a color line in the cola line?"

"A bold demonstration that racial discrimination did not limit the opportunity for Negro employees at Coca-Cola would answer this question to the satisfaction of men of good will from here to New Delhi."

Seemingly the employment of Negro public relations men and the solicitation of testimonials from Negro celebrities is the most that has been done to give this group a share in responsibility and leadership.

"We do not think of this enough."

Officials of the company were alarmed over the effects of news of Jim Crow machines. A New Delhi newspaper printed a picture of the machine with the caption—"American Way of Life."

James J. Farley, Coca-Cola executive, reportedly ordered the abandonment of the dispensers.



# Speedy White House Action

AFTER twenty years of double talk about fair play and civil rights (with mighty little action) under the Roosevelt-Truman administrations, the White House is moving with commendable speed to substitute action for talk.

The echo of the complaint made by the NAACP against segregation in the schools on Federal reservations had scarcely died down before the White House announced that segregation would be ended in schools operated by the Army with Federal funds for children of Army personnel.

While the schools operated at Fort Benning, Ga., are the only group run by the Army where segregation is currently practiced, the administration is proceeding to negotiate with jim-crow states which are operating other schools on Army, Navy, Marine and Air Force reservations with financial assistance from the Federal Security Agency.

Altogether there are thirty-four such schools and some of them are racially segregated although located on Federal land.

Since these schools obviously cannot operate without the \$2,735,548 received from the FSA, it should not be difficult to bring them into line, especially since they are on U. S.-owned ground.

Indeed, it would seem that the Truman administration was derelict in performing its duty when it allowed these state-operated schools to carry on the jim-crow pattern of the states in which located, because segregation on any Government property is clearly unconstitutional.

As expected, the loudest outcry against President Eisenhower's action comes from Gov. Herman Talmadge of Georgia, who has several times threatened to destroy the public school system of that state if a

Supreme Court ruling should direct an end to segregation in public schools.

The Southern states, bedeviled by increasingly heavy tax burden in their efforts to maintain the expensive dual school system based on fictitious race, should welcome any experiment designed to demonstrate that a single school system is feasible, and more economical.

If mixed schools can work on one side of the fence, they can work on the other side, since the people on both sides are the same, whether they are working for the Federal government or for private interests.

Admittedly a Supreme Court decision outlawing segregated public schools would

have a revolutionary effect in the jim-crow South, but the prior and successful operation of mixed schools on Federal reservations in the same area should cushion the impact of such a ruling.

The powers-that-be are, in our opinion, far more hesitant and timorous in their approach to these bold and just decisions than are the people they supposedly represent.

Hundreds of thousands of Southern whites and Negroes who have migrated to other sections of the country have been sending their children to the same schools and colleges for many years without any of the dire consequences prophesied by the timid and fearful.

President Eisenhower deserves a round of applause for the brave and forthright manner in which he is acting on questions of prime importance to the strengthening of national solidarity, and without the deceitful professions of undue affection to which previous administrations accustomed us.

## "Off Limits" Town Dying In Texas, Louisiana, Others

BY B. EVERETTE MOORE

ANDREWS, Tex. — (ANP) — Possibly Andrews, Texas means little or nothing to most persons, but to this writer, the name means a place where a great renaissance has taken place in the past decade.

I first passed through this sand swept little town in the far western corner of Texas about 10 years ago. Stopping at a gas service station for some fuel I was told in no uncertain terms that Negroes were not allowed in Andrews. Of course, I was not told in such courteous terms. I never forgot this West Texas town, but never dreamed of returning to it.

Last week after leaving Odessa, located some 100 miles to the south of Andrews, I found myself at that well remembered place. To my surprise it is not the same town in atmosphere. Not only are Negroes passing through at will, but many are now working and living here.

Talking with several I found that they are accepted as an integral part of the community and consider Andrews a fine place to work and rear their families.

After witnessing such a tremendous change here, I decided to visit another such anti-Negro town, perhaps better known to the average person. About 166 miles east of Dallas is the town of Grand Saline. The great renaissance has appeared here, too. Not only are Negroes working and living in Grand Saline, but just recently the Negro veterans of Grand Saline organized an American Legion Post.

The same story can be told about such places as Lullings, Alameda and several others.

In Louisiana such Negro hating town as Anacoco, Hornbeck and Jena there are now living many Negro families. That old element of by-gone days is disappearing from the scenes and a vigorous new order is taking its place. In time if the progress of racial understanding and goodwill continues, there will be no such non-Negro tolerating towns anywhere in the south.

## President To Get Bias Study

WASHINGTON — (ANP) — A

document analyzing discrimination in specific areas in the country and proposing plans on how this situation can be remedied will soon be presented to President Eisenhower by a group of national organizations. This study will include a separate

discussion of discrimination and segregation in schools, housing, public welfare, health and recreation, employment by the Federal Government, private agencies and public accommodations. The blue print for action is in line with President Eisenhower's

pledge to use all of his executive power to eliminate every vestige of segregation and discrimination in Washington.

Among the group of civic, religious, labor, civil rights, business and professional organizations preparing the document are:

American Council on Human Rights, Americans for Democratic Action, American Friends Service Committee, American Jewish Congress, American Veterans Committee, Catholic Interracial Council, Consolidated Parents Group, D. C. Chamber of Commerce, D. C. Federation of Civic Associations, National Association for the Advancement of Colored People, Unitarian Fellowship for Social Justice, Washington Fellowship, Washington Urban League and the Washington Interracial Workshop.

## Writer Notes Ike's Efforts To End Bias

Can Eisenhower End Segregation in Washington? This is the subject of an absorbing article written by Howard Whitman, to be published in the May 9, issue of Collier's.

The factual article which describes the racial problem in the nation's capital as "full of muddied grays," is based on interviews with

a White House spokesman, civil servants, business and labor leaders. The writer begins with the following quote from President Eisenhower's State of the Union message (February 2, 1953): "I propose to use whatever authority exists in the office of the President to end segregation in the District of Columbia."

After comparing the shout of "LET'S DO IT," the White House spokesman is quoted as saying: "The best way to break down segregation is not necessarily through legislation. Many people say, 'Let's rush and

The article continues: "It was a troubled city that Eisenhower moved to last January. The Nation's Capital called it a 'blot on segregation issue' had been boiling our nation." In the 1952 elections, up to a climax since the close of both Democrats and Republicans World War II. In 1947, a President-adopted platform pledges to clean up racial racism in Washington. E. Wilson, then president of the General Electric Company, called the situation "intolerable... a graphic illustration of a failure of democracy." In 1948, the National

After comparing the shout of "LET'S DO IT," the White House spokesman is quoted as saying: "The best way to break down segregation is not necessarily through legislation. Many people say, 'Let's rush and



pass a law.' But President Eisenhower's idea is, 'Let's do it - in other words, let's break down segregation by breaking down segregation. It's his own idea.'

The White House spokesman also indicated, "We don't want to handle minorities as they were problem children, adding:

"Our approach is for everyone here to share in the idea. We want to begin fight against segregation right here at home - with little things."

He picked up a telephone, and presently into the White House conference room walked Mrs. Lois Lippman, a young Negro woman from Boston. "I'd like you to meet the first Negro secretary ever to be employed in the White House," he said proudly.

Mrs. Lippman works in the office of Sherman Adams, assistant to the President. She has five stenographers and secretaries working under her, all of them white.

Whitman lists all of the sources of tension including jobs, housing, school, hotels, restaurants, theatres, hospitals, playgrounds, etc. but deals at length with discriminatory practices of the Fire Department, Bar Association, Real Estate Board, the National Press Club and organized labor.

During an interview with Sergeant William Waldenmaier, a Washington fireman and president of the Fireman's local AFL union, Whitman said: "It has frequently been pointed out that segregation practices, especially in Washington, embarrass the United States in its dealings with the rest of the world and fill the propaganda hoppers of the Communists.

Waldenmaier's answer to this is at least direct: "They tell us this is bad for the rest of the world. We don't give a d... what happens over there. We want to keep them (the Negroes) out of here.

"We've got a wonderful friend in Congressman James C. Davis (a member of the House District of Columbia Committee," Waldenmaier said. "If I hear about someone scheming to end segregation, I just run to him and tell him about it. I don't know what club he uses, but whatever it is, it works."

# Bunche says Negroes with vested interest must put race above personal considerations

WASHINGTON, D. C. — "No individual Negro, Phi Beta Kappa no less than cotton picker, can ever hope to enjoy full dignity or emancipation so long as the Negro group suffers minority status," Nobel Peace prize winner, Phi Beta Kappa, U. N. dignitary Ralph J. Bunche told a Howard University gathering here last week.

Speaking at the installation exercises of the first Phi Beta Kappa chapter at Howard, Bunche called for the integration of the Negro not only into select schools, but into all phases of American life.

Bunche, who formerly taught at Howard, asserted that the induction of Howard into the nation's oldest scholastic organization is an important step forward in the educational advancement of the Negro, but cautioned that "although this marks progress, the ultimate goal is still to be won."

"That goal is the only goal that can be compatible with American democracy," he said, "the complete integration in the life of the nation of all citizens without regard to color or race."

**NEGROES WITH VESTED INTEREST**

It is ironically apparent that institution of segregation is fortified by the fact that many Negroes in many places have themselves developed a vested interest in it, and some of them are loath to see it go," he said.

Dr. Bunche urged the Negro and pre-dominantly-Negro colleges to look into the future and do some serious thinking about their role and direction.

"It may be well that some moral decisions will have to be made which will require great courage and a devotion to the ultimate interests of the Negro above all personal considerations.

Speaking of the Negro colleges, he said, "Unless radical changes are made in the policies at many of these institutions, they may find themselves in the unenviable position of obstructing the elimination of segregation in higher education."

"The Negro has evinced a great courage in fighting racial

segregation," he added, "but an even greater courage may be required for some to learn to live without it."

## ANTI-BIAS RECORD OF 1952 ASSAILED

Jewish-Negro Report Criticizes Governmental 'Opposition'—M'Carran Act Excoriated

Criticism of the McCarran-Walter Immigration Act, which enunciates United States immigration policy, and other aspects of our national life was contained in reports made yesterday by two Jewish groups and one Negro association.

In a joint report, the American Jewish Congress and the National Association for the Advancement of Colored People drew up a "balance sheet" on civil rights and group relations in the United States for 1952 and found that "little worthy of note was accomplished by the Federal or state Governments during the year to reduce inequality."

The American Jewish Committee, closing its two-day, semi-annual meeting of the executive body at the Biltmore Hotel, heard Irving M. Engel, chairman, urge that President Eisenhower ask Congress to substitute a sound, American method of selecting immigrants, instead of the outmoded national origin system.

Mr. Engel declared that present immigration laws of the United States were "loaded" against potential immigrants on the basis of their place of birth and he recalled that during the last campaign President Eisenhower condemned the law as "a blasphemy on American democracy."

### 82d Congress Record Assailed

The joint report of the Jewish and Negro organizations charged that advocates of the McCarran-Walter Act had made "frankly racist speeches in Congress" that must be regarded among "the strongest manifestations of hostility toward minorities that we have seen in a generation."

The 151-page report—the fifth in an annual series assessing developments in fourteen major areas of national life in which the question of civil rights is an issue—assailed the Eighty-second Congress for having adjourned with a record that demonstrated "not

mere indifference but active opposition to racial and religious equality."

The Congress was criticized for having failed to enact fair employment, anti-lynching, anti-poll tax or any other civil rights legislation. Failure to make progress in reducing inequalities was also charged to the Executive Branch of the Federal Government.

On the credit side of its balance sheet, the report listed the more than 50 per cent increase in the number of Southern Negroes who voted in the last Presidential election and the increasing pressure by minority groups to eradicate segregation in education, travel and many other areas.

### Die-Hards and Apathy Noted

Progress toward complete equality, it noted, has been thwarted by "die-hard racists, hypocritical politicians and others who have used archaic legislative rules, discredited judicial precedents and similar

weapons with great skill and effectiveness, aided by a still all-too-prevailing public apathy."

Summarizing the highlights of 1952, the report noted that there were at least ten bombings and well over thirty acts of vandalism causing substantial destruction of property during the year. No deaths due to lynchings were reported, it was observed.

Reports of police brutality were fewer than in 1951, although at least sixteen Negroes were known to have been killed while in official custody, it was recorded. Virginia enacted legislation aimed at the Ku Klux Klan and sixty-nine members in North Carolina were convicted on flogging and assault charges, the report said.

While segregation has been almost entirely eliminated from those parts of our armed forces which are in contact with the rest of the world, it continues to exist, the report said, in Army posts and National Guard divisions in this country.

Housing, the report declared, remains the "strongest and most tenacious defended bulwark of racism in the country." Intergroup tensions will remain relatively unabated as long as groups are set aside from each other by community residential patterns, the survey said.

## Racialism Is Denounced By Pope Pius

VATICAN CITY, Sept. 8 (AP)—Racialism and sterilization were denounced by Pope Pius XII in an address to geneticists from a dozen nations yesterday. The speech, delivered in French, was made public today by the Vatican press office.

Pope Pius praised the contribution of genetics to modern life in his address to the scientists, assembled for an international symposium, but warned them to distinguish between "the animal and vegetable world on one side and man on the other."

Genetics is a branch of biology concerned with heredity and variation among related organisms.

"It aims at contributing to the well-being of individuals, the community and the common good," the pope said. "But there are certain genetical and eugenical measures that good moral sense and, above all, Christian morality must reject both in principle and practice."

He said these measures include racialism and eugenical sterilization. The term racialism covers the theory, long promoted by Hitler, that some races are inferior, others superior. Eugenical sterilization is the sterilization of persons considered of inferior breed or race.



# EDUCATIONAL EFFECTS IN A SEGREGATED SOCIETY

BY BARBARA GARDNER

(EDITOR'S NOTE: Miss Barbara Gardner is a student at Talladega College. This essay by her reveals a number of problems wrapped up in the integration question).

For several years now, we are concerned, have watched with pride and hope, the doors of the Southern graduate institutions open to the members of minority groups. To those who fought unflinchingly to achieve this and the admittance of Negro students into formerly white graduate schools gives encouragement and renewed strength. However, no matter how unyielding we are, there is an issue which we must face. You our leaders are fighting to get us admitted to these institutions, but once we are there we must struggle tooth and nail to survive. The path toward academic adjustment is sharply uphill. In other words, honored graduates from our finest Negro institutions are, in many instances, failing to meet the standard for greater achievement. And who is to blame? Would you place full responsibility upon the student and accuse him of negligence? That I believe would be a grave injustice. For the student is fundamentally the same person he was in undergraduate school. The primary difference is that now he has moved into another world of evaluation, and by the standards of that world, he has been measured and found lacking.

It is this factor that is a primary, devastating effect of segregation upon our educational system. The lack of adequate preparation for competition and survival in an integrated society. Until each student is afforded equal environmental and educational advantages from infancy, there can be no realistic hope for equal performance in educational relations. So long as there are two sets of standards in accrediting elementary, secondary, and college institutions; there will be two levels of preparation and two levels of performances. (When I say equal advantages I am not referring to the separate but equal theory. Each of us is cognizant of the fallacy of that philosophy).

Now, this basic problem of lack of preparation is a culmination of several important issues. Fundamental among these I would choose the

physical and curriculum limitations of Negro schools, and the psychological effects upon the student toward his own race and towards whites.

The most evident limitation of Negro schools is physical. As one looks at the plants, the teaching facilities, the experimental equipment or the recreational provisions of both white and Negro schools, the absolute, obvious inequality of the system is overpowering. These physical limitations reflect themselves directly upon the curriculum. And it is in the curriculum that we find the crux of inadequate academic preparation. No student, no matter how brilliant he is, can be expected to retain or cope with that material which he has had no background for or no contact with. Yet in the fields of open competition each student, regardless of race or background, is held accountable for the knowledge about those areas which have been set up as essentials for living.

And this is as it should be. The injustice of the situation lies not in the competition, but in the fact that not every student has been given a chance to realize his full potentialities; therefore, he is unqualified to meet the competition.

The second phase of the inadequate preparation issue, I choose to call psychological or resultant attitudes. As a result of segregation there are varying attitudes which are developing among young Negro students toward themselves and toward the general white populace. One major attitude which is most harmful is that of automatic subordination. This conscious or unconscious practice is most evident in conferences and assemblies of mixed groups. The inability of our students to take a firm stand which opposes the position of a white student — in an apologetic manner in which we concede our point — these are visible effects of the segregated system.

Of course there is the exact opposite attitude to consider. There is a tendency to suspect and violently oppose any issue which is introduced or upheld by a person or persons of the opposite race. The tendency is indicative of instilled distrust and is just as negative as subordination. For anytime one loses sight of the issue to respond to the person, then a rational, well-thought out response is unlikely. Sensitivity, distrust, defeatism, self-consciousness, and inferiority complexes are all fruits of the seeds of segregation. We have hope and evidence that in the not too distant future these ills will be driven away by integration.

There are many theories about the possible effects of integration. No one can know what these really will be; but I can say that they will be no worse than the actual effects of segregation. There will have to be a period of readjustment, and no one can visualize this period without its awkward moments. There will be situations of tension and uneasiness. Negro students now in excellent standing in segregated schools may very possibly find themselves students of good or fair achievement in integrated institutions. Student social life will be definitely affected because even with the achievement of educational democracy, there is no insurance that this democracy will seep over into social life and everyday situations. There is only a hope and a strong possibility.

There are a few negative effects to be expected from integration. But we may be sure that most of these will pass with time and patience, and the overall effect of integration will be a more united America, a land where no child need fear the competition because of educational inequalities.

In our final years, we the older students, are getting the advantage of educational equality, but we hope for those following us, hope that they not only be granted the opportunities earlier, but that they be inspired to take advantage of those opportunities. For, all our struggling there are varying attitudes which are developing among young Negro students toward themselves and toward the general white populace. One major attitude which is most harmful is that of automatic subordination. This conscious or unconscious practice is most evident in conferences and assemblies of mixed groups. The inability of our students to take a firm stand which opposes the position of a white student — in an apologetic manner in which we concede our point — these are visible effects of the segregated system.

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## BETWEEN THE LINES

By Dean Gordon B. Hancock

FOR ANP

### SEGREGATION HAS FAILED

Segregation has failed! It has failed the Negro and it has failed the white man. It has failed to keep the Negro down, and has failed to build the white man up. It has failed to make the Negro feel inferior, and it has failed to make the white man feel superior. It has failed to frustrate the Negro, and it has failed to make the white man feel secure.

Unless segregation makes the Negro feel satisfied in his segregation it has utterly failed, for segregation was ever intended to build a caste society in which each caste is satisfied with its lot.

The story goes that down in Mississippi many years ago the dominant whites held a big barbecue plantation style. The day was passed with great speeches on white supremacy and the greatness of the Nordics. There was an old colored nurse who heard it all, and seemed bored beyond endurance.

After dinner as before, there was no end of vaunting white supremacy and then the evening came and the crowd was fast departing, and the old nurse's family was the last to leave the barbecue grounds.

As she drew the little white brood of her employer about her and started for the carriage, her boss saw the look of boredom on her face and said, "Well Aunt Martha, you have heard ever so much about the greatness of white people, what do you think of them?"

Aunt Martha rejoined forthrightly, "After all I heard today about white folks, I think they are just as good as niggers if they be have themselves."

Aunt Martha's appraisal roughly portrays the veiled contempt the average Negro feels toward segregation and the segregators. Segregation has failed; for in the face of it we have too many distinguished Negroes and too many dissolute whites to make sense of segregation.

The current all-American fiends, Mrs. Heady and her paramour Hal headed for the gas chamber, are white. Theirs was one of the most brutal crimes of criminal history in these United States. Their crime proves nothing more than that humans at the best and at their worst are about the same irrespective of

their race.

But humans of the Heady-Hall type discredit any attempts to prove racial inferiority or superiority by segregation. Segregation has failed utterly and the sooner it is blotted out the better for the white man, the Negro and the nation. The bantering of southern Negro-phobes cannot stem the tide of human decency, that is rising the world over. Humans on the highest moral levels are ready to acknowledge that each one is his brother's keeper and are quite willing to assume the responsibilities involved.

The question that this nation must resolve, and that real soon, is how far can a nation go in letting a few prejudiced people jeopardize its morals and its moral standing in the eyes of the world? Each man is entitled to his prejudices, and all men have them; but just whether the nation shall protect these prejudices by legal mandate is still another question.

To wait until every driver on the highways is ready for the white lines and driving rules is to expect the impossible. The reactionary white south has nobody to blame for the pressure except its shortsighted and inert leadership.

For quite 70 years, the nation waited for the white south to bring forth a program that promised ultimate liberation for its Negro citizens. Interracial movement became "professional" in their attempts to find a way out and there was never offered a democratic and Christian way.

The Negro waited patiently and was quite willing to sit about the conference table perchance to find a more excellent way; and the most they heard was "The time is not ripe yet." Nobody ever remotely suggested when the time would be ripe! And so the matter drifted and finally the Negroes resorted to law and litigation.

Certainly such litigation is troublesome to the white South; but what less did they expect of Negroes who are forced to fight for democracy in the uttermost parts of the earth while being denied democracy themselves? The thing that needs to be brought home to the white South with its determination to indefinitely postpone the liberation of its Negro citizens is, an island of segregation cannot exist in a sea of democracy and Christianity.

That part of the South that proposes to maintain indefinitely a

system of segregation is playingists and those who would mass realize what we are doing. Segregation has failed. Segregation is failing. Segregation will not spend fall! Brownell's suggestion brief was a mighty stroke for democracy and national security. That is our business, that is our business, and deliver them to the Communists; but it is well enough that we



## Dr. Herman H. Long Urges Nation To Face Segregation

New York, N. Y., Nov. 8—The fact that we may lose the cold war abroad is not reason enough for us to correct our practices of segregation and racial discrimination at home, Dr. Herman H. Long, director of Race Relations at Fisk University, told the final session of the United Negro College Forum here today.

Our national integrity and character, which we value highly, is at stake, said Dr. Long. "If we fail to face this issue honestly and squarely, he continued, we will see ourselves no longer as living up to the best of our democratic heritage but as hopeless pawns of our own defections and weaknesses."

Dr. Long was one of three panel members who discussed the work of Fisk University "anti-tension" teams in indicating habits of prejudice and discrimination through community self-surveys which have been conducted in several major cities.

The latest such survey was conducted in Minneapolis, Minn. from 1946-1948 under the direction of Dr. Long. Mrs. Genevieve Steefel, who was also on the Forum panel today, served as a volunteer worker on that survey.

Mrs. Steefel pointed out that the chief obstacle faced by those who wish to correct the patterns of discrimination in Minneapolis was "the unwillingness of the community to admit that a problem in race relations existed." But, she said, as the survey progressed many community leaders "became sensitive to conditions around them of which they had not been conscious before. As they came to recognize discrimination and segregation and to realize their deep and humiliating effects they, too, began seriously to find ways to get rid of them."

Her contention was echoed by the third member of the Forum panel, Mrs. Dorothy Schramm, a former member of the Burlington (Iowa) City Planning Commission. In Burlington, said Mrs. Schramm, there was disagreement, even among those most interested, as to the kind and extent of the Negro's problems.

"But they decided that a self-survey offered the best method to get the facts and almost two years later after some 800 people had been involved in the survey, the facts were made public," she said. "Extensive discriminatory practices were indicated, especially in the fields of housing, employment and public accommodations. The correction are now under way with the

aid of a Mayor's Committee.

Both Mrs. Schramm and Mrs. Steefel gave credit to the Race Relations Department of Fisk University and its staff of technical workers for their direction in the surveys taken in their respective cities. The agreed that no matter what conditions existed in a community with regard to unsatisfactory race relations, they can be corrected by conducting a self-survey.

The three panelists answered questions from the audience at the Cosmopolitan Club where the Forum was held. William J. Trent, Jr., executive director of the United Negro College Fund, was moderator of the program.

The United Negro College Forum was sponsored this year by the New York City clubs of eleven leading Eastern women's colleges. The New York branch of the American Association of University Women and the United Negro College Fund.

## Group Fails to Provide 'Leadership'

# 'New' Middle Class No Help To Negroes. Claims Professor

ATLANTA, Ga. — The emergence of the new Negro middle-class is no help to the masses of Negroes. It fails to provide leadership to the masses," according to Dr. E. Franklin Frazier of Howard University.

Dr. Frazier addressed the School of Arts and Sciences' Forum at Atlanta University, Wednesday, Dec. 9, on the subject, "The Growing Importance of the Middle-Class Among Negroes in the United States."

After demonstrating statistically the rise of a new Negro middle-class, particularly the increase in the number of Negro clerical workers, Dr. Frazier addressed himself to the question of the role of this group.

HE FOUND that in the North they were being integrated into American life, but that in the South they were still isolated, a community within a community.

Dr. Frazier found that the new middle-class was substituting a new set of values for those held by the old middle-class, the crudest of American values, based entirely on money and status.

"The middle-class is cutting itself off from the old folk culture and is left empty," said Dr. Frazier.

The speaker, who is a former president of the American Sociological Society, has recently returned from Paris where he was director of research for UNESCO. He is now a Howard University professor of sociology.



Committee appeals to Ike—

# Many U.S. agencies accused of permitting discrimination

BY NORMAN WALKER

WASHINGTON, Jan. 16—(P)—A government committee accused many federal agencies today of failing to enforce the ban against racial discrimination contained in practically all government contracts.

The committee, named by President Truman a year ago to obtain better enforcement of the clauses, appealed to President-elect Eisenhower to carry out a set of sweeping recommendations.

"If every industrial and commercial firm doing business with the federal government lived up to the letter of the non-discrimination clause in its contracts," the committee said in a report to Truman, "bias in employment would be a problem of the past."

"Government contracting is so far-reaching and widespread that millions of Americans in every trade and occupation are brought within the protective scope of the provision."

THE COMMITTEE recommended a number of new methods, including court injunctions against flagrant violations of contract anti-discrimination clauses and black-listing from doing further government business.

Among the other recommendations:

1. Designate the Labor Department as agency to receive complaints of violations. If it failed to obtain compliance, the case would be referred for necessary enforcement action to the particular agency having granted the contract.

2. Require posting of notices of the non-discrimination rule in plants doing government contract work.

3. Insist on practicing anti-discrimination policy in all state programs financed by the federal government.

4. Require non-discrimination among contractors supplying the District of Columbia.

## Follows Lead Of Baltimore, D.C. Houses

Management Kept Ban Removal Secret For Three Months

ST. LOUIS, Mo. — St. Louis has followed the pattern of Washington, D.C., and Baltimore, Md., in ending a long-standing segregation policy in its only legitimate theatre.

Last week, Paul Beisman, manager of the American theatre, disclosed the fact that segregated seating arrangements at the theatre had been discontinued.

Prior to the announcement, colored patrons were admitted only to the second balcony.

Instituted Last Year

The new policy had been in effect since October of 1952, according to Beisman, but had not been publicly announced since the management felt there was no need to focus attention to the lifting of the ban.

Actors Equity Association, of which Ralph Bellamy is the current president, individuals and organizations have been fighting the anti-colored policy for several seasons.

With the ban removed, colored persons can purchase seats anywhere in the house, Mr. Bellamy said.

Fair, Decent And Honorable

"The barriers between the races are crumbling in one after the other of the cities and states of this country simply because citizens realize it is the fair and decent and honorable thing to do."

Washington's National theatre, long a controversial factor in the Nation's Capital, scrapped its discriminatory policy following a boycott by Actors Equity, prior to the theatre reverting to a picture policy, rather than

meet the actors' group's demands.

It was later closed and then purchased by New York producers and reopened on a non-discriminatory basis.

Three Changes In Baltimore

Baltimore's Lyric, Ford's and Maryland theatres also dropped their ban.

The Maryland, however, has been razed and is now a parking lot.

The Ford was the last to succumb to the demands by citizens of both races after a five-year siege of picketing by the local NAACP and others, and the interceding by the then newly-elected Governor Theodore R. McKeldin.

### Race Prejudice

When Lincoln said that all men are created equal he probably meant that they were so in the sight of God that they all possess immortal souls, and that the exercise of free will made it possible for all to enjoy the Kingdom of Heaven.

Physical and mental equipment, environment and opportunity are, of course, distributed unequally, and the station of society which each individual attains depends largely on these factors. In America, race, creed or color should not be criteria by which our judgment of our neighbors should be based. Each individual should be allowed to occupy his niche in society, after he has demonstrated his preparation to occupy such a place.

Education, culture and good citizenship should all be combined in estimating just where the individual belongs.

Less than 100 years ago Negroes in this country were stand that the abolishment of slaves, unwillingly brought here from Africa, and bought and sold like cattle. Most of them were deprived of education and when emancipation was declared they were not ready for it. The change was too sudden, and the carpetbagging excesses, and abuses of the privileges of freedom, which caused the South, particularly, to adopt measures for its protection, which discriminated against the Negro race. The Negroes were not to blame for this—the transition was too sudden, and there has resulted an unreasoning and unreasonable race prejudice, handed down through generations of otherwise fair-minded people.

During the short time since emancipation, the Negro has

made enormous and unprecedented strides in the direction of education, culture and good citizenship, and has gained them a healthy respect and admiration. Outstanding statesmen, scientists, doctors, lawyers, educators, authors, engineers, bankers, actors, singers and clergymen who are Negroes, have gradually begun to erase the prejudice which was, at one time, so marked. These Negroes have made their mark on the world, and their place in society. Only the unreasonable die-hards will deny them the right of social equality. Their influence and example has opened the door to the abolishment of segregation, by encouraging the members of their race to self-improvement, including education and self-respect.

Their numbers are increasing with surprising rapidity, and as they increase, the barriers to integration will be gradually overcome, and no person will be denied a job, or access to any public place, because of his color. Thinking Negroes do not seek society equality—only social equality. They prefer to associate socially with their own race, but they resent being segregated because of the implication of inferiority. Men's hearts and minds cannot be legislated. The fiasco of prohibition is one proof of that fact. They can be influenced by reason and by observation to occupy such a place.

I have friends among the Negroes who suffer every day because of the color of their skins, and my sympathy goes out to them, but they should understand that the abolishment of segregation in the District of Columbia must, of necessity, be a gradual process, for their good and the good of everyone concerned. Right usually ultimately prevails.

JAMES A. GANNON, M. D.  
Washington.

## Negro Segregation Backer Draws Fire

By the Associated Press.

RICHMOND, Va., July 6.—A Negro leader's surprising defense of segregation today brought a chorus of "He's speaking only for himself" comments from leading Virginia Negroes.

Sidney J. Phillips, president of the Booker T. Washington birthplace memorial in Franklin County, said yesterday the Negro's economic progress was "due in large measure, if not practically entirely, to the pattern of segregation." *New York, N.Y.*

The segregation system, said Mr. Phillips, had produced "overall benefit to the Negro."

His belief brought quick argument from other Negro leaders. Dean Thomas Henderson of Virginia Union University in Richmond said "The great majority of Negroes" don't share that view.

Dr. Robert Daniel, president of Virginia State College at Petersburg, declared it is "always dangerous to make generalizations on segregation. There are too many aspects to it."



# Ike Says: "I'll Wipe Out Segregation!"

By JOHN L. CLARK, Courier Political Analyst

WASHINGTON—President Eisenhower, in his State of the Union message to a joint Congress last week, promised to rid the nation's capital of segregation. Only scattered applause greeted this statement.

The Republican Chief Executive promised "through use of whatever authority exists in the office of the President" to end segregation in the nation's capital, including the Federal Government and the armed forces. He made no specific mention of abolishing poll taxes, enacting laws against lynching or the controversial and much "booted" FEPC.

CONFIDENT THAT the starting point is "at home" in Washington, D. C., a Federal reservation, where the Government stipulates the laws, furnishes a portion of the money to operate, and selects men of authority to direct the business of the capital, Eisenhower approached other civil rights on the educational pattern.

Explaining that cleaning up the "slave days" discriminatory situation in the Capital would be "the first step toward insuring that it provided an honorable example to all communities of the nation," Mr. Eisenhower proceeded to tell how he intended to reduce and eliminate similar handicaps to Negroes and minorities in other parts of the United States.

"In this manner," said the Chief Executive, "and by leadership of the office of the President exercised through friendly conferences with those in authority in our states and cities, we expect to make true and rapid progress in civil rights and equality of employment opportunity."

Mr. Eisenhower has been careful in his approaches to any and all matters in controversy.

He has tried to avoid antagonizing the fiery bourbons of the South and his restless Republican Congress.

"Leadership of the office of the President" is taken to mean that he will, by executive authority, set up a committee to search out discriminating condi-

tions throughout the United States.

THIS COMMITTEE would present and publicize the facts, persuade and attempt to convince by arousing the consciences of prejudiced leaders and citizens who hold to the pre-Civil War practices of second-class citizenship for Negroes.

Committee members would have no power to punish or embarrass, except through true facts and failures reported to the President.

In that way, he would not be opposed by Southerners who are deathly afraid of "jail sentence" FEPC or conservative and hypocritical Northern Republicans who advance different explanations for the same fear.

Mr. Eisenhower made no reference to specific sections of the United States where discrimination is practiced by policy or imposed by law.

Continuing on civil rights, the President said: "I believe with all my heart that our vigilant guarding of these rights is a sacred obligation binding upon every citizen. To be true to one's own freedom—in essence—is to honor and respect the freedom of all others."

"A cardinal idea in this ideal we cherish is the equality of rights of all citizens of every race and color and creed."

"We know that discrimination against minorities persist despite our allegiance to this ideal. Such discrimination—confined to no one section of the nation—is but the outward testimony to the persistence of distrust and of fear in the hearts of men."

"This fact makes all the more vital the fighting of these wrongs by each individual, in every station of life, in his every deed."

"Much of the answer lies in the power of fact, fully publicized; of persuasion, honestly pressed, and of conscience, justly aroused. These are methods familiar to our way of life, tested and proven wise."

## The Morality Of Segregation

"Can segregation itself be tolerated, not only in education, but in all its aspects? I presume that all moralists are interested in this problem which so profoundly touches the social order of our country. Discrimination, which—as distinct from segregation—implies unequal treatment, is obviously unjust. Also unjust is compulsory segregation: first because it implies a stigma imposed on one race by the other; and secondly, because it inevitably leads to unequal treatment. The only form of segregation that might conceivably be morally justifiable is segregation by mutual agreement and with equal rights. Even this, it seems to me, is per se contrary to the bond of union that should exist between people of the same nation and contrary to the common good of the nation itself. It might be tolerated as the lesser of two evils, e.g., because the two races could not live peacefully together; but this situation would be a tragedy. It is a tragedy, however, that might naturally develop among us if Negroes and other minorities can attain to full equality only by constant strife which engenders bitterness and aversion."

"I recently noticed a report based upon the study of 22 boys, ranging in age from 14 to 17 years, who were hospitalized for heroin addiction. All but one of these boys were either Negroes or of Puerto Rican descent. The report says: 'Among pertinent social factors in the addiction is the feeling in these groups that they live in an alien, hostile culture that considers their racial characteristics as stamps of inferiority. They suffer almost continuous injuries to their self-esteem.' Only God knows the full extent of these terrible psychological injuries; but every moralist knows that they are a reality and he must consider them carefully when solving cases pertinent to co-operation in discriminatory practices."

(Notes on Moral Theology, 1951, by Rev. Gerald Kelly, S.J., Theological Studies, March, 1952.)

## Segregation Effects Cited By Snodgrass

A solution to the segregation problem in the South is necessary for continued industrial progress, Robert E. Snodgrass, president of the Atlanta Chamber of Commerce, told members of the Southern College Placement Officers Association meeting in Biloxi, Miss., yesterday.

"The problem of segregation and living without it in the South presents a problem to employers and educators," Snodgrass said.

He said industrialization implies "the Negro must have a fair share of it so as to become an American citizen who can pay his own way in taxes . . . and contribute to the national welfare in general."

One of the South's chief problems is keeping its labor supply—both Negro and white—from going elsewhere after receiving their training in the South, the Atlantan said.

"We are thereby supplying the non-South with the only economic ingredient that they lack for continued expansion. As long as we feed them labor they can grow as fast as we can, or faster."



# Strange Contradictions On Subject Of Race Relations

(AN EDITORIAL)

THE Rocky Mount (N. C.) *Evening Telegram* selected the recent meeting of the State NAACP in that city as an occasion to express some sharp strictures against some parts of the organization's program in general, and against Secretary WALTER WHITE in particular.

The *Telegram* had some points of agreement on the subject of improving race relations, but it exhibited some strange contradictions in stating them. We quote: *Sat. 11-14-53*

We have no quarrel with the NAACP when that group calls for an end to discrimination and for greater opportunities for the Negro race. To discriminate against an individual or a race because of skin color is an unenlightened policy and practice that cannot be defended on Christian or humane grounds. *p. 1*

The *Telegram* then proceeded, as we shall point out later, to argue against the very things it said that it approved. For instance, it is against NAACP—

When it calls for abolition of segregation in all of its forms;

When it is in favor of "integration";

When it seeks enactment of an FEPC "civil rights" program;

When it warns that if the Democratic party sacrifices civil rights to "regain the South" it will lose the nation, and when the NAACP sharply criticizes (abuses is the word used) certain southern leaders.

In its first and second reservations we surmise that the *Telegram* has its mind on what is commonly called "social equality." When discrimination on account of race or color is removed, whether at the local level or otherwise, the Christian idea of the dignity of the human person, and the recognition of the individual person on a basis of worth, are substituted therefor. It is hard to do these things without creating "social" equality in a certain sense. But per-

suading or compelling an employer to stop discriminating solely on account of race does not say to him that he must invite his employees to dinner, or to otherwise intermingle with them socially, or to marry one of them. That is a matter of purely personal choice, for both the employers and the employees.

When a way to economic equality is opened, "social" worth is automatically enhanced for those who have been discriminated against, for the reason that they acquire the means to become equal to others as "social" beings.

The *Telegram's* third reservation refers to an FEPC "civil rights" program.

The Fair Employment Practice Commissions, as operated by the Federal government during World War II, and as adopted by several states since, have sought only to open wider fields of employment in industry, business and government for Negroes and other disadvantaged Americans. The FEPC has no "civil rights" plan, beyond breaking down barriers to the employment of certain Americans solely on account of their race, and the employment of them, when possible, on a basis of their training and skills. Its relation to "integration" is that of "including" certain people not now included among those who are afforded opportunity to work for a living.

The whole doctrine of segregation as insisted upon in America implies that Negroes can live and prosper in a separate part of the American economy. That is the equivalent to the greater powers of the Western Hemisphere taking Cuba, for instance, and erecting trade walls around it which say to the Cubans: You must eat all of the sugar you produce. You

must smoke all of the tobacco you grow; we will not permit you to export these products.

The Cubans cannot consume all of their sugar and tobacco, and live. Southern Negroes cannot use all of their labor among themselves. They must market 75 per cent of it, or they will not prosper.

As to its third reservation, the *Telegram* probably is unaware that the State of South Carolina has a law which prohibits the hiring of Negroes in the textile industry, and this is the unwritten law in all of the other southern states.

While on this aspect of the *Telegram's* objection to the NAACP's all-out fight for "integration" we commend to the editor a report just issued by the Committee of the South, a sub-committee of the National Planning Commission.

The report was prepared by Prof. DONALD DEWEY, assistant professor of economics at Duke University. It says in part:

Negroes are "totally excluded" from white collar work in white managed firms. Negro workers "have scarcely a toehold in supervisory jobs."

The report said it found in non-industry occupations a trend toward the elimination of Negro workers.

"Perhaps the most disturbing feature of southern economic development which this study has revealed is the difficulty faced by Negroes in securing advancement."

The report said that unionization had retarded promotion of Negroes in two ways: (1) By making the work more attractive to white workers through higher wages, thus reducing the employers' incentive to take on Negro workers, and (2) by freezing existing job patterns to foster seniority."

The *Telegram* apparently does not know that most labor unions, particularly those in the South, limit their memberships to white workers only. Out of the union, out of a job. One purpose of pending FEPC legislation is to open the doors of unions to all Americans who are qualified to perform the work which is controlled under our present economic system by contracts with labor unions.

What would southern Negroes let down their buckets into now? The answer is: resistance to employment in practically every area except that of menial labor, which is being rapidly displaced by machines operated by unionized white men. Let their buckets down into the well of teaching, when almost every southern state is threatening to destroy the system of public education into the chambers of the Supreme Court of the United States, while the industry—tobacco and textiles—when court is considering the greatest question involving human rights since slavery. Let their buckets down into the warehouse hands—and in tobacco—the for human rights that the NAACP is supporting the legal fight

When Negroes support the legal fight for human rights that the NAACP is



making in the courts of the nation they are helping to keep themselves and their children from being reduced en masse to indigents in a land of plenty, for the sole reason that they are racially unlike—outwardly—the dominant race that is in political and social control of the South.



# Mrs. Hobby Tells Grads Of Cost, Development Of Bias

DELAWARE, Ohio—(SNS)—Mrs. Oveta Culp Hobby, secretary of the U. S. Department of Health, Education and Welfare, told members of the 1953 Ohio Wesleyan University, that "prejudice is costing us tax dollars in what must be astronomical amounts."

Mrs. Hobby reminded the graduates that "It would be difficult to estimate what racial prejudice costs us here at home."

"Some economists place the total cost of discrimination—while diminishing—our country at from \$15 to \$30 billion a year because of people not allowed to reach their full potential, not permitted to earn the salaries their work merits, and therefore not able to expand the domestic market for the goods we produce, or to pay the taxes they would be paying if they realizing their potential."

## PROGRESS OR BIAS

Mrs. Hobby outlined the development of prejudice in her speech to Ohio Wesleyan graduates.

She said:

"The classification of mankind by races did not begin to permeate men's emotions until well after America was founded. The historic group of 20 Negroes who landed in Jamestown in 1619 were indentured servants with the same status as white indentured servants. And in the early days of slavery in this country, popular ethic held that as soon as an Africame Christian, he should be freed."

"But as the entire agricultural economy began to grow on the basis of slavery, the ethic became unpopular. At first many planters refused to allow ministers or missionaries on their land, and then in 1664, the Maryland legislature ruled that baptism no longer meant freedom. Gradually—perhaps as a slave to conscience—the theory grew that would satisfy both the demands of Christianity and the private economy."

"But America was not alone in her prejudice—judgment of men—based on race was developing as a quack science at the same time in Europe."

"Two men, one French and one English, developed the fad of Nordic superiority which Germany was to carry through to a tragic conclusion."

"Count de Gobineau wanted to

prove the superiority of his own family tree, and wound up writing a book in which he said—that there is a unique strain within the white race of marked superiority to all others. He called it Aryan."

Mrs. Hobby, only woman cabinet member under President Eisenhower, continued:

"From England and France came the sweeping race theory which was to produce Nazism, start World War II, and destroy the very culture which they sought to defy."

"Yet obviously false as these theories were, some of their evil seeds took root in America."

"When America was founded, this was the land of opportunity and free men. You tested a man for courage, industry, honesty and the other Biblical virtues, and valued him accordingly."

"Many Americans began to blame an individual's faults not on his lack of schooling, not on his slum background, not on his impoverished family atmosphere, but on his race or national origin."

## Are Ike's Orders Being Ignored?

# Lowdown on Adam Powell, Oveta Hobby Feud Aired

WASHINGTON—The question of whether Mrs. Oveta Culp Hobby "sabotaged" President Eisenhower's order to halt segregation in Army post schools remained unanswered this week.

Representative Adam Powell Jr. of New York says she did. Others here contend that the Texas lady, who is "Mrs. Secretary" of the Department of Health, Education and Welfare, is carrying out the recent order to integrate schools on U. S. military bases.

Representative Powell last week accused Mrs. Hobby and Defense Secretary Wilson of undermining Ike's efforts to end segregation. He also attacked Navy Secretary Robert B. Anderson for "reaffirming segregation policies at naval bases at Charleston, S. C., and Norfolk, Va."

Mr. Powell put Mrs. Hobby on the spot by wiring her to "affirm or deny" his accusations.

MRS. HOBBY told the press she would write Powell immediately, but at week's end his office told the Courier "no letter, wire or call from Mrs. Hobby as yet."

Here is a rundown on events leading up to the present controversy:

Walter White and Clarence Mitchell of the NAACP held a conference last month with Asst. Secretary of Defense John Hanna. The NAACP officials said they had received reports that Ike's orders were not being carried out.

Mr. Hanna is alleged to have produced a memorandum from Mrs. Hanna which in effect said a number of problems had to be resolved before complete educational integration could

be reached at Army posts.

THE NAACP sympathized with her reasons, including transfer of pupils, credits, certificates of teachers and others, but asked when a "reasonable time limit" could be set for elimination of jim crow.

That date was set as September of this year, the beginning of the new school term.

Meanwhile, the NAACP says it learned that new contracts were being let for schools to be operated on a segregated basis, one in Texas, whence Mrs. Hobby comes.

The NAACP and Representative Powell decided to make the issue public at this point.

In her defense, Mrs. Hobby said she only wanted to make sure that Ike's order could be carried out. She said that some states won't pay teachers in integrated schools, that students might have trouble transferring and that teachers might have their state certificates lifted.

Mrs. Hobby said these were only a few of the technicalities she hoped to iron out with the Defense Department.

Meanwhile, Representative Powell remains dissatisfied. In an open letter to the President, he complimented Ike on his anti-segregation order, but he thought it was being ignored.

Powell said he thought Ike was being ignored in the whole field of civil rights.

"His own Cabinet members go right on saying local customs should prevail in segregated areas," said Powell.



# Racial Gadgets on Coke Machines 'Down South' Are Water Fountains

(Special to the Courier)

LOS ANGELES—In an exclusive Courier interview here last week, Moss H. Kendrix, public relations counselor for the Coca-Cola Company, declared that his client and "the entire Coca-Cola industry have been on the receiving end of an unfortunate misrepresentation."

He said the misrepresentation "It is under rare circumstances was due to the publication of a picture which showed a Coca-Cola vending machine attached to water fountains, one for white and one for colored."

A firm in a Southern town had attached the Coca-Cola machine to the water fountains, using the vending machine as a cooler, Mr. Kendrix explained.

WHEN QUESTIONED in his Statler Hotel suite here, Mr. Kendrix told a Courier reporter that "editorial people represented the gadgets attached to the particular vending machine as anything other than water fountains were quite naive, blind or totally without regard for the traditional code of journalistic objectivity and fair play."

The Washington public relations man pointed out that "during the past several months, three or four publications have carried a picture of the vending machine and referred to the water fountains as either 'dispensers' or 'coin slots.'" None of these publications gave the true story, Kendrix added.

According to public relations man Kendrix, "The true story is that the gadgets attached to the vending machine are water fountains. The fountains were attached to the vending machine by local owners and not by the Coca-Cola Company or any of its local independent bottlers."

KENDRIX EXPLAINED that there are more than 840,000 Coca-Cola trademarked vending machines in use in the United States, and he estimates that less than one per cent of these machines have water-fountain attachments. He also said less than one per cent of the firms using this set-up carry racial designations on their water fountains.

Mr. Kendrix took occasion to note "regret over the fact that the slanted misrepresentations of organs publishing the picture have aided the foes of democracy abroad, the most unfortunate circumstances being that this misrepresentation has been sparked mostly by the organs of organizations which apparently function in the interest of the American way of life."

THE PR MAN pointed out that recently the picture was carried in a New Delhi, India, newspaper, under a caption reading, "The American Way of Life." "In this instance, the outline represented the vending machine as having separate buttons which the races use to dispense the Coca-Cola, with but one slot and one bottle dispenser," Kendrix pointed out.

The picture was first run in The Southern Patriot, official organ of the Southern Conference Education Fund, Inc., in January, 1953. The Crisis, NAACP organ, carried the picture in its June-July, 1953, issue.

## Benson Bows To Byrnes, Dixie Bias

WASHINGTON — Ezra Taft Benson and his Agriculture department last week bowed to race-baiting Gov. James F. Byrnes of South Carolina and reversed its action requiring private bankers to sign anti-discrimination pledges before taking part in the government's price support program.

Byrnes, a sworn foe of civil rights, had led Southerners in a bitter attack on the plan.

McAfee, while, Stephen Mitchell, chairman of the Democratic National Committee, declared Byrnes had "read himself out of the Democratic party."

Benson, secretary of agriculture, had commented earlier he thought the pledges were "unnecessary" and that the final determination might have to be made by President Eisenhower. The pledges required bankers handling price support loans for the Commodity Credit Corporation to promise not to discriminate against any bank employees or job applicants because of race, creed or color.

The about face was announced by John H. Davis, president of the CCC.

## Gov. Byrnes Up to His Tricks Again

By STANLEY ROBERTS  
(Washington Correspondent)  
WASHINGTON—Gov. James Byrnes, the South Carolina Governor, who was recently

appointed a United Nations delegate... has protested another move by the Administration to abolish Government discrimination.

Latest blast grew out of action taken by U. S. Department of Agriculture officials to put anti-discrimination rules into the price support program.

The story began last May. Without making any public announcements, USDA changed the contracts under which banks may make price support loans for cotton, corn and other crops. The new contract forbids banks to discriminate against any applicant for a job because of race, creed or color. This was revealed last week after a protest from South Carolina Gov. James Byrnes, the Southern leader, who broke with the Democratic party over civil rights laws and states' rights.

Byrnes wired President Eisenhower in Denver, and the President has ordered a study of the situation. USDA officials will meet with leaders of the American Banking Association in Washington this week.

The South Carolina Governor warned the President that many banks will refuse to sign contracts which include an anti-discrimination clause.

## Bias Abroad Is State's Problem

The long arm of the prejudice has a habit of reaching out beyond the borders of continental United States to harass some citizens when they are visiting other countries in the hope of enjoying a temporary respite from the home-grown variety of annoying discrimination here.

But it appears that this has gone ahead of him to some countries, and once again, the visitor is smack up against the baffling problem of being a citizen of the U. S. but something special for special treatment.

Examples of this confusing paradox have cropped up in Guatemala and Panama where ordinarily, citizens wanting to visit these countries simply applies for a tourist visa. But American Negroes—those who are discernibly Negro—must come under an old racial exclusion law which applies also to Orientals of being made to have passports before they are admitted.

A Chicago school teacher, Miss Cathern Davis, ran into this situation last Summer when she was making preparations to spend the Summer in study in Guatemala. One of the responsibilities of the State department is the protection of all the citizens of this country when traveling abroad. There is no reason why foreign countries who eagerly depend up American tourist trade for their economy should be allowed to practice discrimination on one segment of the population. We have a strong suspicion that such a system has its roots in the discrimination practiced here at home.

However, since Negroes are traveling in foreign countries in increasingly large numbers, we feel it is time to call to the attention of the state department the inequities of such practices.



## Speeches Defending Separation of Races Draw Nation-wide Comment

# Phillips, Lee Hit by Critics on Segregation Issue

**BOOKER WASHINGTON BIRTHPLACE, Va.**—When S. J. Phillips, founder-president of Booker T. Washington Birthplace Memorial, opened his mouth and uttered words that sounded very much like he was defending segregation, he left himself open for scorching criticism. **MONTGOMERY, Ala.**—Local police Friday reportedly broke up a five-man picket line set up at the Montgomery City Auditorium in protest to the speaking engagement of Davis Lee, segregation advocating editor of the Newark (N. J.) Telegram. Lee was quoted as arguing that segregation is an insurance policy against unemployment. **E. D. Nixon**, president of the SCLC, said that Phillips' remarks "to patronize him, makes news."

Phillips had a statement for his critics, however. He said, "Most of them criticizing me wouldn't have their present jobs if it were not for segregation."

Some anti-segregation leaders referred to Phillips' ideas as "foolish" and "fallacious." Others merely said they didn't share Phillips' views.

Here's what was said by the man who has dedicated his life to keeping alive the name of Booker T. Washington:

"1. The circumstance of the segregation system has been of overall benefit to the Negro. Handicapped as he was on emerging from slavery, it has given him a field of his own to develop. Within that field he has had opportunity to work out his own destiny, to find himself, to grow to a man's estate without the competition with which he could not have coped had the circumstances been otherwise. *Cromb*

2. The economic progress of the Negro as achieved and as presently enjoyed is due in large measure, if not practically entirely, to the pattern of segregation. Those who have attained economic success to a noticeable degree have been and are beneficiaries of that practice wherein Negroes serve other Negroes as teachers, doctors, ministers, merchants, editors and the like. Admittedly, there are scattered exceptions which merely serve to prove the rule; and without exception, every instance where any Negro reaches a status of economic sufficiency without dependence upon members of his race, who have no other choice than

ON BIRTHPLACE, Va.— MONTGOMERY, Ala.—Local police Friday reported president of Booker T. Wash- ly broke up a five-man picket line set up at the Montgom- opened his mouth and ut- ery City Auditorium in protest to the speaking engage- ry much like he was defend- ment of Davis Lee, segregation advocating editor of the self open for scorching criti- Newark (N. J.) Telegram. Lee was quoted as arguing

"3. The dual system has made the Negro look to himself, in large measure, for his earnings, his property holdings, his achievements, the respect he commands, and even the popularity he enjoys. The credit the

The race receives for certain accomplishments in a given period all stem from accomplishment of Negroes, with Negroes, for Negroes. Had it been otherwise, the identity of the Negro would have been lost, his personal accomplishment stifled, and advancement of the race as a whole probably retarded in greater detriment to the masses. Men are made stronger on realization that the helping hand they need is at the end of their own right arm.

Nixon said that two police officers were on duty before the meeting got under way, but later the number grew to twenty. He accused Montgomery Police Chief G. J. Ruppenthal of taking the placards from them and breaking them one by one across his knee. Ronald E. Young, executive secretary of the association and one of the pickets, made the complaint.

Sat., 7-11-53  
 CHIEF RUPPENTHAL de

"I believe in any consideration of the matter of segregation, these things should be taken into account. The consideration should also recognize certain customs and habits by which economic advantages accrue to the masses under the segregation system. It is not

a far-fetched contemplation as to what might happen to small Negro business operators, or to any Negro professional wage earners under a strictly integrated economy.

"Neither should there be overlooked that the segregation system gives a virtual monopoly to Negroes in certain unskilled pursuits. Jobs are necessary if we are to survive as a people, and thousands could be at peril in the event of any sweeping change resulting from legislation."

He said that the signs read: "Davis Lee speaks for himself and not us" and "Davis Lee loves jim crow but lives in New Jersey."

According to Nixon, only eighteen Negroes and thirty-two whites showed up for the meeting. He said that several white merchants and automobile firms had been given free tickets to the pro-segregation rally.

Lee was quoted as arguing that segregation is an insurance policy against unemployment for thousands of Negroes.

"New Jersey," he said, "with no segregation, has about fifty-seven teachers, but Alabama with segregation, employs more than 1,700 with a payroll of more than \$1 million."

**PHILLIPS MISQUOTED?**  
Baltimore — I regret the unfortunate use of Phillips' statement making it appear that he was justifying and defending segregation.

I am sure that no such thing was in his mind. I know that Mr. Phillips did not make the speech accredited to him.

G. LAKE IMES

# Virginia Teachers Attack *Afro-American* Phillips On Segregation

*newark N.J.*  
RICHMOND J. B. Woodson, Blackstone, was  
'Colored persons have a pow- elected to the powerful NEA  
erful, yet relatively unexplored resolutions committee. Other  
delegates were:

**In Virginia Delegation**  
Mrs. J. B. Woodson, Blackstone; Mrs. Irma B. Thompson, Newport News; Mr. and Mrs. P. J. Chesson, Norfolk; Mr.

That vehicle is membership in nationwide professional and occupational organizations, the Virginia State teachers association secretary declared.

Speaking to a group considering the present aspects of segregation and proposals for its elimination, Dr. Picott said "even the presence of one person of color in state and national organizations devoted to job and public welfare makes for much more functional democratic behavior."

**'Be A Paying Member'**  
He urged his hearers to "multiply your potential by availing yourselves of the opportunity to help America grow through pay-  
ment of dues to the various organizations are massive instruments for improving human relations and making democracy democratic in the South and elsewhere in the nation," Dr. Piccott concluded.

As an example of this technique in action, Dr. Piatt cited the NEA 91st convention held at Miami Beach, Fla., the first week in July.

"A few years ago," he said, "through the active participation of a few of our group in the national organization's program a resolution was approved by NEA members prohibiting the holding of a meeting in any city which could not guarantee full and complete lodging, eating and other facilities to all NEA members." *See 7-18-63*

More than 8,000 delegates were in attendance at the Miami Beach convention, including approximately 300 colored persons he said, adding:

Because they were members of this nationwide body, these 300 colored delegates "stayed at the best hotels, ate in the hotel dining rooms, cafeterias and restaurants of their choice, went in swimming and in other ways were treated as full-fledged American citizens."

Seventeen other VTA members were included in the Virginia delegation. VTA President



# What Phillips Said In Defense of Segregation

BOOKER T. WASHINGTON BIRTHPLACE, Va.—Following are direct quotations from the recent speech of S. J. Phillips, president of the Booker T. Washington Birthplace Memorial, defending segregation and which aroused sharp unfavorable comment by leading colored citizens of Virginia:

"As a Negro American above the age of 50 years, born and reared in the South, having dealt with members of my race widely, and having also had wide experiences with many white Southerners, I believe my own views common to those of many Negroes who are not considered among the so-called 'masses' and who have had opportunity for a certain degree of training and wholesome contacts under varying circumstances.

"Facing the matter of segregation squarely and measuring with a yardstick of common sense, I must say, first, that I deplore the thought of the term, for it connotes the idea of second-class, without freedom, and without opportunity to advance in any sphere of one's livelihood. Yet it is my considered belief, that:

"1. THE CIRCUMSTANCE of the segregation system has been of overall benefit to the Negro, Handicapped as he was on emerging from slavery, it has given him a field of his own to develop. Within that field he has had opportunity to work out his own destiny, to find himself, to grow to a man's estate without the competition with which he could not have coped had the circumstance been otherwise.

2. The economic progress of the Negro is achieved, and as presently enjoyed in large measure, if not in practical entirety, to the pattern of segregation. Those who have attained economic success to a noticeable degree have been, and are, beneficiaries of that practice wherein Negroes serve other Negroes, as teachers, as doctors, ministers, merchants, editors, counsellors, and the

like. Admittedly, there are scattered exceptions which merely serve to prove the rule; and, without exception, in every instance where any Negro reaches a status of economic sufficiency be the foremost champion of freedom and opportunity for his race—who have little choice other than to patronize him—the incidence makes news.

"3. THE DUAL system has made the Negro look to himself, in large measure, for his earnings, his property holdings, his achievements, the respect he commands, and even the popularity he enjoys. That credit the race receives for certain accomplishment in a given period all stems from accomplishment of Negroes, with Negroes, for Negroes. Had it been otherwise the identity of the Negro would have been lost, his personal accomplishment stifled, and advancement of the race as a whole probably retarded in greater detriment to the masses. Men are made stronger on realization that the helping hand they need is at the end of their own right arm.

"I believe, in any consideration of the matter of segregation, these things should be taken into account. The consideration should also recognize certain customs and habits through which economic advantages accrue to the masses of Negroes under the segregation system. It is not a far-fetched contemplation as to what might happen to small Negro business operators, or to many Negro professional wage earners under a strictly integrated economy. Neither should there be overlooked that the segregation system gives a virtual monopoly to Negroes in certain unskilled pursuits. Jobs are necessary if we are to survive as a people; and thousands could be at peril in the event of any sweeping change resulting from legislation.

"BOOKER T. Washington was a wise counsellor, and his teachings are not, by any means, outmoded for today's needs, and particularly so among the masses

es of the Negro race. Booker T. Washington's observations would be as vivid today to anyone equally studious of the Negro's estate. The Negro as a group is still dependent, and, as a group, he needs that education for productivity which will aid

his economic advancement. One wonders what would be Booker T. Washington's answer to that while, doubtless, he would be the foremost champion of freedom and opportunity for every man, he would not have departed materially from his Atlanta Exposition proverb that, "In all things that are

purely social, we can be as separate as the fingers; yet one as the hand in all things essential to mutual progress."

SET STAGE FOR COURT RULING:

## Justice Harlan Said No To Separate-But-Equal Theory 60 Years Ago

By JAMES J. FOREE

CHICAGO (ANP)—Most citizens are hopefully expecting the U.S. Supreme Court to outlaw the "separate-but-equal" theory established by the high tribunal nearly 60 years ago.

The case around which this theory was formulated was that of Plessy versus Ferguson heard by the Supreme Court in 1896. The case which offers the nation's highest tribunal an opportunity to undo this wrong is that involving segregation in public schools. Both cases involved the constitutional rights of citizens.

*Dissenting Opinion*  
Most people are aware of the now famous dissenting opinion of Judge J. Walter Waring which cited in the Clarendon County school case that segregation perse (in itself) is inequality, thus unconstitutional.

Few, however, are aware of an equally potent dissenting opinion rendered in the Plessy vs. Ferguson case which gave birth to the "separate-but-equal" theory. The justice who beat Waring to the punch by nearly 60 years was John Marshall Harlan.

In stating that there is no superior class of citizens in this country, that the Constitution is color-blind and that all citizens are equal before the law, Justice Harlan denounced the "separate-but-equal" idea as wrong.

### At Reactionary Time

His opinion is remarkable in that it came at a time when sentiment in America was reactionary as far as colored citizens were concerned.

It came at a time when the worst demagogues ran rampant in Congress, shouting epithets at colored persons; it came when the picture of Reconstruction Days was still vivid in the minds of many and at a time when most discussions concerning colored persons centered on a desire to return them to conditions nearing those of pre-Civil War days.

What was it that Justice Harlan said that made him stand out like a giant against the tide of reaction of his day? The

question was: did Louisiana have the right to make Plessy, a mulatto, ride in a jim-crow railroad car? Justice Harlan, who was appointed from Kentucky, said no.

In a dissent as clear and remarkable as that of Waring, Justice Harlan said in part:

### Calls It Inconsistent

"I deny that any legislative body or judicial tribunal may have regard to the race of citizens when the civil rights of those citizens are involved. Such legislation as that here in question is inconsistent not only with that equality of rights which pertains to citizenship, national and state, but with the personal liberty enjoyed by every one within the United States.

"In the eyes of the law, there is in this country no superior, dominant, ruling class of citizens. There is no caste here. Our Constitution is color-blind, and neither knows nor tolerates classes of citizens. In respect of civil rights, all citizens are equal before the law.

### Compares It With Dred Scott

"It is, therefore, to be regretted that this high tribunal, the final expositor of the fundamental law of the land, has reached the conclusion that it is competent for a state to regulate the enjoyment by citizens of their civil rights solely upon the basis of race. In my opinion, the judgment rendered will, in time, prove to be quite as pernicious as the decision made in the Dred Scott case.

"We boast of the freedom enjoyed by our people above all other peoples. But it is difficult to reconcile that boast with a law which practically puts the brand of servitude and degradation upon a large class of our fellow-citizens, our equals before the law.

"The thin disguise of 'equal'

accommodations for passengers in railroad coaches will not mislead anyone, nor atone for the wrong this day done."

### Changing Pattern

Justice Harlan set the stage for today's drama. It has taken nearly 60 years for his concept to permeate the hearts and minds of the nation's leaders.

This changing pattern of thinking may be seen in the reaction of many leaders to the decision of the Supreme Court to post-



# Dr. Holmes Warns About Complacency

Says Fight For First-Class  
Citizenship Must Continue

## BALTIMORE

Complacency is a fatal attitude as long as we still have second-class citizenship, Dr. D. O. W. Holmes, president-emeritus of Morgan State college told members of the Philomathian Club, Saturday.

Dr. Holmes was the main speaker at the dinner meeting of the group held at Morgan Christian Center.

There are some people who say, "why continue to fight. We have modern school buildings, equal teachers' salaries, better homes, good cars, colored people in important jobs. We don't want to go to the Lord Baltimore Hotel."

Dr. Holmes said his answer to that is, "Well, whether you want to go to the Lord Baltimore or not, no place of public assembly ought to be closed to any citizen."

## Feel Insulted

"I feel insulted every time I walk down Baltimore st.," he added, "because of the restriction against colored people in hotels and restaurants."

Dr. Holmes also reviewed the changes in city and state schools for colored children in the last half century. He emphasized that these improvements have come about not through benevolence of the majority race but because colored people were willing to stand up and fight.

He recalled that the first equal salary suit in Maryland was filed on behalf of Stephen Wright, later dean at Hampton Institute who was elected president of Bluefield State Teachers' college last week.

## Nothing To Fear

He added that colored teachers should have no reason to fear integration in schools when segregation is outlawed by the Supreme Court.

"This threat that colored

teachers will lose their jobs is a bugaboo to scare us," he said. He pointed to a survey by Howard University's Dr. Charles H. Thompson in the current issue of the Journal of Negro Education.

In this survey, Dr. Thompson used figures to show that there are not enough white teachers to meet present demands and under integration they could not possibly replace colored.

He further indicated that there are thousands of white teachers who can not meet eligibility requirements. Colored teachers, Dr. Holmes added, are better trained because colored persons of greater ability enter our school system because other jobs are closed to them.

## Integration Gradual

An integrated school ruling by the Supreme Court will not mean a wholesale movement of colored children to white schools and vice versa. The change will be gradual. Dr. Holmes estimated that a few white students may enter Morgan, some few colored students will enroll at the University of Maryland.

Schools in predominantly white and colored neighborhoods will maintain enrollment on a geographical basis. In mixed areas, schools will have a mixed student body.

## Teachers Have Job

Dr. Holmes said it is up to teachers in colored schools and colleges to let their students know that they are second class citizens and to urge them to prepare for all kinds of jobs so they will be ready when opportunity comes.

Teachers, he said, have a responsibility to belong to the NAACP and other civic groups and to participate actively in those professional groups which have opened their doors.

Mrs. Carl Murphy, president of the group, presided. Chester

R. Rowlett rendered several violin solos. Miss A. Dukye Wood was at the piano.

## Guests Named

Guests included: Dr. and Mrs. Frederick Dedmon, Dr. and Mrs. Bernard Harris Sr., Dr. and Mrs. Martin Jenkins, Dr. and Mrs. Howard Cornish; Messrs. and Mesdames John Hampton, Houston Jackson, Walter Dyson, John Murphy 3rd, Raymond A. Diggs, Frank Phillips, Elmer Burgess;

Mesdames and Misses Jennie White, Florence J. Wright, Ruth McAbbe, Eulalia Mallory, Sarah Sampson, Lillian Parrott, Mary H. Proctor, Vivian Cook, T. I. Brown, Pauline McGuinn, Pauline Wharton, Annie Wright, Mae W. Allen, Hermione Wharton Blanche Hughes, Margaret Williams;

Also, Mesdames Blanche N. Carpenter, Gerster S. Pryor, Elsie P. Derricotte, Mary V. Brawner, Mildred Goodrich, Corinne E. Martin, Edna S. Bourne, all of Washington; Messrs. Carl Murphy, Howard Young Jr.

## Like Restates Antipathy to Segregation

Equality Is Policy  
In Federal Service,  
He Writes Powell

President Eisenhower yesterday declared, in effect, that he will not permit his program aimed at eliminating segregation on Federal facilities to be "obstructed" by subordinates.

In reply to a charge by Rep. Adam Clayton Powell, jr. (D-N. Y.) that three members of the administration family had "completely undermined" the President's segregation stand, Mr. Eisenhower said:

"In your communication you have indicated that there is some evidence that the policy I am pursuing against the impairment of equality through segregation has been obstructed in some agencies of the Government."

"I have made inquiries of the officials to whom you refer and learn that they are pursuing the purpose of eliminating segregation in federally controlled and supported institutions."

"We have not taken and we

## GENERAL

shall not take a single backward step. There must be no second class citizens in this country."

Rep. Powell, in releasing his exchange of correspondence with Mr. Eisenhower, hailed the President's reply as a 'Magna Charta for minorities and a second Emancipation Proclamation.'

In his original letter to the White House, Rep. Powell had charged "insubordination" against the Eisenhower anti-segregation policy by Oveta Culp Hobby, Secretary of Health, Education and Welfare; Secretary of the Navy Robert B. Anderson, and Vice Adm. Joel T. Boone, chief medical director, Veterans Administration.

Yesterday, Rep. Powell expressed satisfaction with the President's reply as a direct and complete answer. He added, however, that he would keep an eye on the President's "official family" so as to let the White House know when there are further indications of alleged "insubordination."

Meanwhile, the Nation's Capital was accepting in calm and orderly fashion the Supreme Court ruling banning segregation in Washington bars and restaurants.

Not a single complaint of non-compliance with the court's ruling, or of disorder, was reported in the first two days after the decision went into effect.

The Washington Restaurant Association, in a check of 40 establishments, found only a dozen Negroes eating in restaurants which had previously served white customers only. For the most part, there appeared to be no change in the old pattern of segregation.

Eugene Davidson, president of the Washington branch, National Association for the Advancement of Colored People, said yesterday that the non-segregation policy appears to be working out smoothly.

# Oveta Hobby Calls America's Prejudice A Costly Luxury

DELAWARE, Ohio—(ANP) — Racial prejudices in the U. S. A. is costing taxpayers from \$15,000,000,000 to \$30,000,000,000 annually, and welfare, told graduating seniors at Ohio Wesleyan University here last week.

Delivering the commencement address, Mrs. Hobby said that many Americans blame a person's faults on his race or national origin. She pointed out that some economists have brought forth "highly provable figures showing that discrimination — while diminishing — costs \$15,000,000,000 to \$30,000,000,000 yearly."

This, she added, is "because of people not allowed to reach their full potential, not permitted to earn the salaries their work merits, and therefore, not able to expand the domestic market for the goods we produce, or to pay the taxes they would be paying were they realizing their potential."

## Mrs. Oveta Hobby Gives Grads Staggering Cost

DELAWARE, Ohio — In complete reversal of what she is supposed to have advocated a few days before in Washington, Mrs. Oveta Culp Hobby, secretary of the department of health, education and welfare, told the graduating seniors at Ohio Wesleyan University that racial prejudices in this country is costing the nation in the neighborhood of from \$15 to \$30 billion a year.

Last week Mrs. Hobby was the target of U. S. Congressman Adam C. Powell who in a letter to President Eisenhower informed the nation's chief executive that Mrs. Hobby sent a memorandum to Secretary of Defense Charles E. Wilson requesting that he refuse to carry out the President's order regarding integration of schools on army posts.

In very definite words, President Eisenhower told Rep. Powell the present administration will not take a single step backward and the President said: "I shall continue to devote my honest efforts to advance both the spirit as well as the fact of equality. I believe that the fight to achieve tangible results will be increasingly successful."

He informed the congressman that the spirit of these objectives can not be attained through one person, but all must plan and work together to win the victories and not be content until the goal has been reached.

In answering the President's letter, Powell called the chief executive's answer the "Magna Charta of Minorities and the second emancipation proclamation," and seemed very much satisfied with what the President said.

Nothing more was heard of the Hobby memorandum incident, but it was noted by some that if she did such a thing, it is believed she received a Presidential reprimand or that she actually didn't say it at all.

In closing her address at the well known Ohio educational institution Mrs. Hobby said that discrimination is diminishing and the staggering cost caused by not giving a certain segment of the American population full citizenship rights.

"Because of people not allowed to reach their full potential, not permitted to earn the salaries their work permits and therefore not able to expand the domestic market for the goods we produce."



to pay the taxes they would be paying were they realizing their potential.

## India's Visitors Inquire Of Treatment Of American Negro

The first question an Indian will ask upon meeting an American invariably concerns the treatment of the Negro in the United States, the Rev. Paul F. Smith, S. J., former president of Nirmala College, New Delhi, India, said this morning (Tuesday, June 30).

The Jesuit educator, who recently returned to the United States following a decision to withdraw Jesuit administration of Nirmala College, addressed the 59 participants of Saint Louis University's Workshop in Human Relations, in Chouteau House, 3673 W. Pine Blvd., which began June 23.

Such questions about our Negroes are often communist-inspired, Father Smith commented, but Indians are "utterly unaware" of progress made in the United States in doing away with racial discrimination. They have no knowledge of programs such as the Workshop in Human Relations sponsored by Saint Louis University, he declared. *P. 13*

Turning to the problem of India's caste system, Father Smith said that although legislation has been passed in India to remedy the discrimination inherent in this system, "it will take time, perhaps centuries, for social movements to catch up with the legislative." *St. Louis Argon*

An example of such legislation, he said, is that members of different castes are now permitted to marry. In the field of education, he pointed out that sub-caste members may now attend schools with those of higher castes. *St. Louis Mo.*

Continuing, Father Smith stated that the greatest American contribution to the welfare of India has been agriculture assistance. He commended the policy of improving the simple tools of the Indians such as plows rather than trying to introduce heavy, complicated tractors and other such machinery, which is too radical as yet for the Indians.

In answer to a question, Father Smith stated that the reason for withdrawal from Nirmala College was that it was "impossible to arrive at a satisfactory working condition between the Jesuit Fathers and the government of India." *7-3-53*

The Workshop in Human Relations, which is held Monday through Friday, from 9 a.m. to 3:30 p.m., ends August 1.

# 60-Year-Old Dissent Sets Stage For Ending Of Race Segregation

*Chicago Defender*  
*Chicago, Ill.*  
By JAMES J. FOREE

knows nor tolerates classes of citizens.

Most Negroes are hopefully expecting the U. S. Supreme Court to outlaw the "separate-but-equal" theory established by the high tribunal nearly 60 years ago.

The case around which this theory was formulated was that of Plessy versus Ferguson heard by the Supreme court in 1896. The case which offers the nation's highest tribunal an opportunity to undo this wrong done the country's largest minority is that involving segregation in public schools.

Both cases, however, involve the constitutional rights of citizens.

Most of us are aware of the now famous dissenting opinion of the then Judge J. Waties Waring which said in the Clarendon county school case that segregation per se (in itself) is inequality, thus unconstitutional.

Few of us, however, are aware of an equality potent dissenting opinion rendered in the Plessy vs. Ferguson case which gave birth to the "separate-but-equal" theory. The justice who beat Waring to the punch by nearly 60 years was John Marshall Harlan.

### NONE SUPERIOR

In declaring that there is no superior class of the citizens in this country, that the Constitution is color-blind and that all citizens are equal before the law, Justice Harlan denounced the "separate-but-equal" idea as wrong.

What was it that Justice Harlan said that made him stand out like a giant against the tide of reaction of his day?

The question before court was: Did Louisiana have the right to make Plessy, a mulatto, ride in a Jim Crow railroad car? Justice Harlan, who was appointed from Kentucky, said no. In a dissent as clear and remarkable as that of Waring, Justice Harlan said in part:

### NO CASTE

"In the eyes of the law, there is in this country on superior dominant, ruling class of citizens. There is no caste here. Our Constitution is color-blind and neither

CAN'T JUDGE BOOK BY COVER!

## Ex-shoeshine boy dons *Agro American* Indian garb, fools senate

WASHINGTON — (ANP) —

White folks as a rule are not too impressed with colored ones, as such, but just let them assume a foreign name and garb and they become persons of stature in the eyes of most whites. *8-1-53*

The masquerader the finds that avenues which formerly were closed to him now beckon to him. *Baltimore* sort of thing occurred recently when a supposedly Indian chief, decked in feathers and trappings, appeared as a witness before the Senate Appropriations committee. *7-4*

### Featured In Life

This colorful person, who called himself Chief Rising Sun, so impressed that august body that the senators listened solemnly as he pleaded the cause of the Yakima Indians.

It was later discovered that the self-styled chief was in reality a colored ex-bellhop. However, before this came to light, the "chief" had been pictured in full regalia in Life magazine.

According to Drew Pearson, syndicated columnist, "Chief Rising Sun" is really Alzamon I. Lucas. He was born on Nov. 11, 1878, of colored, not Indian, parents, Pearson said.

In discussing this Pearson said in part: *P. 1*

"The Yakimas have a problem at their happy fishing grounds back in Oregon. The government is planning to build the Dallas dam, which would flood Celilo falls and wipe out the tribe's fishing grounds.

"The next thing the Indians knew, Lucas was prancing in front of the Senate Appropriations Committee as Chief Rising Sun, dramatically denouncing the Dallas dam."

### Yakimas Decline Services

"Somehow Lucas heard about this, and offered the tribe his services. He proposed organizing a mass meeting in Washington and another at Madison Square Garden in New York to protest the dam construction. The Yakimas were skeptical and declined to hire him.



## Ministers Discuss Race Problems With Eisenhower



Representatives of the National Fraternal Council of Churches are shown with President-Elect Dwight D. Eisenhower whom they visited in New York City on Dec. 22 as part of a delegation which discussed problems of racial discrimination

and segregation with the next Chief Executive. General Eisenhower is flanked by Rev. W. H. Jernagin, council chairman, (left) and the Rev. Thomas S. Harten, pastor of the Holy Trinity Baptist Church of Brooklyn.

## Clergymen Ask End Of Color Bars In D.C.

NEW YORK — Gen. Dwight D. Eisenhower, president-elect of the United States, last week promised to appoint a commission to "get the facts" on segregation practices against minority groups in the United States.

Eisenhower's pledge was made to a group of clergymen who called on him at his Commodore Hotel headquarters. The delegation, representing the National Fraternal Council of Churches in Washington, D. C., had submitted to Eisenhower an eight-point program to "insure equal rights to all citizens."

The Council of Churches repre-

sents 13 denominations with a combined membership of 7,000,000.

Dr. W. H. Jernagin, chairman of the executive committee of the Council, said the President-elect expressed amazement that Negroes still were barred from some hotels in this country.

### Plan Commission

The proposed commission will devote its attention at first to the fields of housing and travel. Jernagin said the study would not be restricted to Negroes, but would cover all minority groups in "hotels, jobs, restaurants and so forth."

### 8-Point Program

The eight-point program which the group presented called for: H. T. Medford, AME Church in complete integration in the Armed Services; opening of all branches meeting with a prayer for peace; and levels of the Federal Government; elimination by Executive Order of racial segregation from area and president of the council; all phases of life in the District of Columbia; establishment of Fair Employment legislation; strengthening and enlargement of the powers of the Human Rights sections of the Department of Justice; Strengthening of the United Nations and accelerating the use of Negro Americans in all our International programs; action by Congress to enact legislation to limit debate and remove the filibuster as a "road block" to constructive legislation; and continuation and extending of basic legislation for the general welfare, such as job security and low-cost public housing.

### More In Group

Others in the group were Bishop Rev. George W. Lucas, executive secretary of the council and Dayton, Ohio Baptist minister; Rev. Andrew Fowler, acting director of the council's Washington bureau, and S. F. Ray, chairman of the social services commission of the National Baptist Convention.

Also attending were E. C. Smith of Howard university; Dr. L. K. Jackson, pastor of St. Paul's Baptist church in Gary, Ind.; Bishop Edgar A. Love of the Methodist Church, Baltimore area; Bishop R. C. Lawson of the Church of Our Lord Jesus; Dr. G. H. Sims, president of the Baptist Empire State Convention, and

John H. Sears of the National Baptist Convention, Inc.

## No More Studies Please

President-elect Eisenhower has announced that he will appoint a special "fact-finding" commission on racial discrimination after his inauguration.

The commission's job, Mr. Eisenhower is quoted as saying, will be to "gather all the facts" about treatment of colored people and other minority groups in housing, travel and other public facilities.

The plan was made public while Mr. Eisenhower was in conference with a delegation of church leaders headed by the Rev. W. H. Jernagin of Washington.

Frankly, we are unable to get very excited over the prospect of another "study" of the problem.

We doubt that any new fact finders could discover anything that has not already been exposed by Gunnar Myrdal in his two-volume work, "An American Dilemma."

And could any of the Eisenhower problems produce a more exhaustive report than that made by President Truman's Committee on Civil Rights in 1947?

The facts about America's pattern of racial discrimination are well known, not only here but all over the world.

What is needed now is action in pushing through Congress the necessary corrective measures.

We happily call President-elect Eisenhower's attention to the fact that these proposed laws have already been spelled out.

We suggest he acquaint himself with a copy of "To Secure These Rights" available at the U.S. Government Printing Office. On Page 166, he will find outlined a complete program of what is needed to make American democracy the live, vibrant force we profess it to be.



# Church Delegation Calls On Ike



President-elect Dwight Eisenhower is shown (center) with members of the delegation from the National Fraternal Council of Churches which called on him at his New York headquarters. On General Eisenhower's left is the Rev. W. H. Jernagin, consultant and chairman of the Executive Committee of the NFCC, Washington. On Ike's right is the Rev. Thomas S. Harten, pastor of the Holy Trinity Baptist Church.

## The General Is Shocked

President-elect General Eisenhower listened last week to the report and recommendations of a group of distinguished Negro churchmen regarding racism in America. The General was surprised to know that many hotels denied accommodations to colored citizens and stated that he was going to set up a commission to study such problems. He indicated that he sincerely wished to do something constructive in the race relations field.

To many of us the General may appear vastly uninformed and some of the more cynical among us would rather believe that Ike is only kidding about his ignorance of our problems. We take the General at his word because we have frequently found ignorance in high places regarding race relations.

We who live with the problem of Jim Crow and racial discrimination quite quickly assume that others must be aware of our troubles. In this we take too much for granted. Our side of the race relations story has never been completely told despite all the studies, books, forums and press reports. The great majority of American whites still do not know the whole truth or all the facts of Negro life. Sometimes the half-truths

they do get are more harmful and damaging than we imagine.

One of the most constructive projects carried out under President Truman's administration was the study of the President's Committee On Civil Rights. The findings and recommendations of that committee of distinguished Americans are summarized in a government document titled "To Secure These Rights." Charles E. Wilson of General Electric was chairman of that Committee and it included representatives of both racial groups.

Another enlightening report was made by the President's Committee on equality of Treatment in the Armed Services which was headed by Dwight Palmer of General Cable Corporation and included John H. Sengstacke, publisher of this newspaper.

We hope that General Eisenhower will find the time to study these reports and learn the facts of the race relations problems as they exist today in the middle of the 20th Century. In addition to these reports there is a great body of scientific literature on the subject which is well worthy of examination.

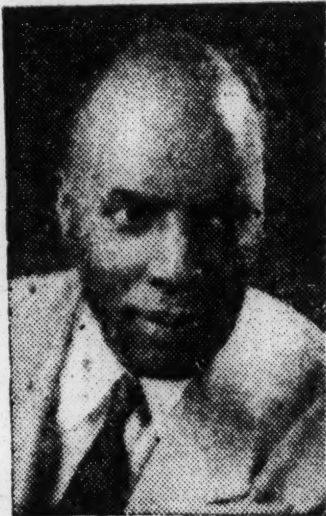
The facts of Negro life speak for themselves and we who clamor for a greater measure of social justice will rest our case on the evidence of the social scientists who have laid bare the full outlines of this monstrous racial specter that dogs our steps as we move toward the mainstream of American life.



## Shocking Words By A Thoughtless Speaker

IT IS shocking when a Negro who can get himself into the channels of publicity comes out publicly in this day and time and places the stamp of his approval on the existing system of segregation. It is more shocking when such a Negro—erroneously designated as a “leader”—makes the broad assertion that segregation and the chain of discriminatory laws erected upon the early customs and mores of the South have been of “overall benefit” to the Negro race. It is true that Negroes have made some social and economic progress in the 88 years since emancipation, but it is accurate to say that this progress has been made despite the system of segregation and discrimination rather than because of it.

SIDNEY J. PHILLIPS, who established the so-called BOOKER T. WASHINGTON Birthplace Memorial in Franklin County, Virginia, by purchasing the farm on which WASHINGTON was born



S. J. PHILLIPS

with funds contributed by both white and colored people, and by the profits from the sale of half-dollar pieces at a high premium, is the “leader” who was quoted in several of the State newspapers Monday as approving and defending segregation. He quoted a famous but unfortunate quip from Dr. WASHINGTON’s Atlanta Exposition address, made a half century ago, in which the founder of Tuskegee Institute inferentially accepted segregation.

Mr. PHILLIPS was trying to reconcile a dead philosophy of an era that is past with living realities of a new day. What WASHINGTON said may have seemed to him the expedient thing to say in that period of our history, but it is not the correct thing to say, or to espouse in this period of our history.

Times have changed, and all but the most adamant “white supremacists” con-

cede that the labyrinth of discriminatory laws that became a part of southern government and customs in the post-bellum period of the South’s history, is unjust and inhuman, and during the past two decades particularly, some vital parts of it have been dismantled, and other parts are in the process of being dismantled.

Certainly the public sentiment that once supported the theory that the properroneously designated as a “leader”—er thing to do was to quarantine Negroes and deny them employment on the basis of their skills, or to deny them education or civil rights or due process of law on account of race, is changing, if it is not disappearing in the South.

There is some irony—and certainly a lot of “brass”—in PHILLIPS’ strange new bid for southern favor. The very strip of highway which he persuaded the State Commission to name for WASHINGTON is unsegregated. He, or any other Negro, may travel in either lane, at any time of day or night, and go anywhere that it leads to, with perfect impunity as long as safety laws are observed. The finishing touches to his education were obtained in a State university outside of the South, where he was admitted as a student, not as a Negro.

Vast changes that have taken place in industry, commerce and business have rendered impotent the frail “economic structure within an economic structure” which at the outset of the Negro’s experience as a free man in America characterized his endeavors. Business and trade and human relations incident thereto are no longer circumscribed by color lines, and if Negroes are to make further progress they must integrate within the total economic structure.

Finally, we regret that any Negro who upholds the traditional policy of proscribing Negroes in the South, makes the front page of the newspapers and gets a spot on radio, and is hailed by these agencies of information as a “Negro leader.” In this connection PHILLIPS and DAVIS LEE (the latter of Newark, N. J.) occupy unenviable positions in the thinking of the present generation of Negro Americans, as well as in the minds of some millions of clear-thinking white Americans.

# Powell Hits U. S.'s Democracy In Talk Says Nation Most Hated, Sees Hope

## 104 Shaw Seniors Get Degrees; Four Citizens Given Honors

RALEIGH, N.C.—The 88th annual commencement exercises of Shaw University were held in Raleigh Memorial auditorium, June 1, and degrees were conferred upon 104 candidates in the college of arts and sciences and school of religion.

The address was delivered by Congressman Adam C. Powell Jr., minister, Abyssinian Baptist church New York.

Speaking on the subject “The Fight to Save America,” Congressman Powell said his world travels in recent years have shown him that the U.S. is the most disliked nation in the world even though it has poured billions into many critical areas.

**Democracy Not Practiced**  
“Why,” he queried, “does the world look askance at American leadership? It is because wherever I have gone in Europe, Africa and Asia, the question is asked me:

“How can you Americans expect to sell us your leadership, when we know the democracy that you are trying to sell us is not practiced at home?”

“America,” he continued, “cannot lead as long as any segment of its population has second-class status. We’ve got to fight to save America and it must be done by colorless citizens. Democracy is more precious to us for every little bit we got, we had to fight every step to get it.”

**No Longer A Racial Fight**  
“The fight for civil rights is no longer a racial fight, but a fight to save America and make democracy work, to restore the integrity of America.”

In conclusion he said that this problem cannot be solved by education or time. It is up to us with the power of unity, truth and God, working together, and walking together to get America in the mainstream, and have the leadership that made us great and set us free.

**Platform Guests**  
Platform guests included Dr. G. O. Bullock of Washington, D.C.; Dr. E. McNeill Poteat of Raleigh; Dr. P. A. Bishop of Rich Square; Dr. L. E. McCauley, William C. Lassiter, attorney; Mrs. Ellen Alston, and Asa Spaulding newly-elected board members of Shaw;

Dr. J. J. Freeman of Norfolk, president of the Theological Alumni; Rev. J. W. Wiley, newly-elected alumni president, and the Rev. O. L. Sherrill.

Opening prayer was by the Rev. C. A. Anderson, Greensboro. Henry Blackmon Jr., baritone, sang and closing prayer was made by the Rev. David R. Hedgley, Winston-Salem.

**Honorary Degrees To Four**  
Honorary degrees of doctor of divinity were conferred upon the Rev. Charles W. Anderson, minister, United Institutional Baptist church, Greensboro; and the Rev. David R. Hedgley, minister, First Baptist Church, Winston-Salem.

The degree of doctor of laws was conferred upon William L. Greene, executive secretary, North Carolina State Teachers Association. The degree of doctor of education was conferred upon Foster P. Payne, who has served the university for 24 years.

Mrs. Phyllis S. O’Kelly of

Peaks Turnout, Va., superintendent of the Barrett School for Girls, received the distinguished service award for the college of arts and sciences. She is a graduate of Shaw University.

### Plaques Given

Dr. Fred D. Sessoms of Washington, Ga., received the Distinguished service award for the professional schools. He is a graduate of the Shaw School of medicine. Plaques were presented to the recipients by the Rev. J. W. Wiley, president of the Alumni Association.

Winners of scholarships and prizes were announced by Dean Foster P. Payne. Recipients of the several awards were:

Junior awards \$75 each, Randolph Thompson, Bahamas, B.W.I., and Marcelina M. Anillo, Greenville, S.C.; sophomore awards \$75 each, Harold G. Ross Jr., Absecon, N.J.; Evelyn B. Wiggins, Clayton; freshman awards, \$75 each, Annie L. Jones, Greenville; Susan M. Caldwell, Roanoke, Va.; E. Amelia Alexander (tied for second place, \$37.50 each.)

**Greek Chapter Awards**  
Iota Iota chapter of Omega Psi Phi fraternity award, \$25, Grady V. Bryant, Tarboro; Alpha Theta Omega chapter of Alpha Kappa Alpha sorority, \$50, Marcelina M. Anillo, Greenville, S.C.; Phi Lambda chapter of Alpha Phi Alpha fraternity award \$35, Harold G. Ross Jr., Absecon, N.J.;

Alpha Zeta Sigma chapter of Delta Sigma Theta sorority award \$100, Annie L. Jones, Greenville; Eta Sigma chapter of Phi Beta Sigma fraternity award \$20, Ottilie L. West, Willard; Omicron Zeta chapter of Zeta Phi Beta sorority award, \$25, Lela R. Hankins, Bolivia; Morgan Kelley prize in music, \$5, Annie L. Mims, South Port; the Dr. John P. Turner, physical education prize \$10, Johnnie E. Jowers, Baltimore.

**Educational Psychology**  
The Dr. Nelson H. Harris prize in educational psychology \$10, Robert L. Raiford, Selma; the Rev. C. F. Pope theological prize \$10, Edward S. Geiger, Raleigh; the Dr. A. M. Moore memorial prize, awarded by W. J. Kennedy of Durham \$25, Clarence W. McNeill, Lumberton;

Home Economics club prize \$10, Mary P. Batts, Rose Hill; the Dr. Wendell C. Somerville scholarship \$50, Dorothy L. Burnette, Mebane; the Dr. Benjamin G. Brawley memorial prize, awarded by John W. Parker \$10, Evelyn B. Wiggins, Clayton; the Mary A. Burwell personality development prize \$25 (divided into two awards), Annie L. Shaw, senior of Sunbury, and E. Amelia Alexander, freshman of Hickory.

The scholarship of \$100, “Trens Award,” given by Drs. J. N. Mills, L. E. McCauley, and John P. Tur-



ner for attaining best record in pre-medical study, Hobert C. Price, senior, S. Ozone Park, N.Y.; Raleigh Alumni chapter of Kappa Alpha Psi fraternity Award \$25 (savings bond), Norman C. Camp, Raleigh; Ushers Union convention award of \$100, Pearlina Transeur, Winston-Salem.

**Seltzer Awards**  
The Dr. Albert P. Seltzer awards given in honor of Dr. John P. Turner (gold) silver, bronze Medallions, to the first, second and third ranking senior, Dorothy L. Turner of Goldston, (gold), James Z. Alexander of Hickory, (silver), and Harriet L. Nunn of Raleigh, (bronze). The Theological Alumni Association of Shaw University, scholarship award of \$100, Clarence Gray of Chicago and Frederick D. Terry of Elerbe.

The Beta Lambda Sigma chapter of Sigma Gamma Rho sorority award \$100, Jonquil V. Lawrence of Rocky Mount.

# Racial Directives Knifed By Aides

## N.Y. Congressman Sends Wire To Eisenhower Telling Of Acts

WASHINGTON

By The (NNPA)

Rep. Adam C. Powell (Dem., N.Y.) last Wednesday requested Mrs. Oveta Culp Hobby, Secretary of Health, Education, and Welfare, to affirm or deny reports that she had countermanded the order of President Eisenhower that racial segregation be ended in schools on Army posts.

In a telegram to Mrs. Hobby, Mr. Powell said he was awaiting her "immediate" reply by either telegram or telephone. The New York congressman told reporters that he had discovered that Mrs. Hobby had sent a memorandum to Secretary of Defense Charles E. Wilson advising him that it would be best for him not to follow Mr. Eisenhower's directive.

**Deny Powell Charge**

A Department of Health, Education and Welfare spokesman the same day denied Congressman Powell's charge concerning Mrs. Hobby and the Department of Defense declared the army's survey of state-operated schools on military posts "has never stopped and is continuing."

The Defense Department also noted that all army schools operated entirely with federal funds will be integrated by September.

In back of Mrs. Hobby's action, Mr. Powell charged, is the fact that one of her "close relatives" is the mayor of Killeen, Texas, where Camp Hood is located, and from which she comes.

**Floating A Bond**

Mr. Powell said he understood that the city of Killeen is floating a bond issue to build a segregated school on land leased from Camp Hood.

"What she is trying to do," Mr. Powell charged, "is preserve segregation in her town in spite of the President's order."

In a memorandum sent to Sec-

retary Wilson on March 25, President Eisenhower stated that all schools operated by the army on army posts for children of post personnel will be completely integrated by next fall, and that army commanders would seek agreements with local authorities to effect integration in schools operated by state authorities on federally-owned property.

**Letter From Mitchell**

Mr. Powell sent his telegram to Mrs. Hobby after he received a letter from Clarence Mitchell, director of the Washington NAACP Bureau.

In his letter to Mr. Powell, Mr. Mitchell charged that Mrs. Hobby was holding up integration in schools on Army posts because she believes Congress might not provide funds for such schools.

The army obtains funds from the U.S. Office of Education, which is under Mrs. Hobby's supervision, for the maintenance and operation of schools on army posts where local school facilities are not available for children of army personnel.

In his letter to Mr. Powell, Mr. Mitchell charged that the Republican leadership in the House "has not shown that it is willing to come to grips with the issue of discrimination."

"As you know, the 83d Congress was the first to attack and cut down the activities of the racial relations service of the housing agencies," Mitchell wrote, adding:

"President Eisenhower has courageously announced that he will end segregation in schools on military posts.

**DC Bias Bill Killed**

## Powell Asks Eisenhower To Implement Campaign Pledge

WASHINGTON, D. C.—Angrily protesting three directives that upheld segregation contrary to orders from President Eisenhower as a "complete sell out of Democracy and colored people," Congressman Adam Clayton Powell has demanded action by the chief executive.

In an open letter last week to President Eisenhower, the congressman from New York laid down what he termed three open violations of orders from the White House to abolish segregation.

"Your official family," Powell declared "in the past five days has completely undermined your stated position on segregation."

**VIOLATIONS LISTED**

He listed the violations as:

1. "Admiral Joe T. Boone, chief medical officer of the Veterans Administration, has reaffirmed within the past few days in a letter to me that he will not change practices in various hospitals because he insists on maintaining 'local customs' on Federal property."

2. "The Secretary of the Navy, Robert T. Anderson, has informed you over the weekend that the Navy is going to continue to maintain segregation in the Charleston, South Carolina, and the Norfolk, Virginia, naval shipyards and the Navy is not going to deal with this social problem."

3. "Word has reached me that Secretary of Health, Education and Welfare, Mrs. Oveta Culp Hobby, has virtually countermanded your order abolishing segregated schools on army posts by issuing a memorandum to the Secretary of Defense, telling Mr. Wilson not to follow your directive."

**"THIS IS INSUBORDINATION"**

"This is insubordination," Powell declared: "This is not support of your as the Commander-in-Chief and the President of the United States. This detracts from the dignity of your office."

Earlier, Powell lost a fight to amend a bill for District of Columbia appropriations by a standing vote of 78 to 15. The amendment he had would have barred use of appropriations by any agency which practices racial segregation. A later roll call vote was then blocked by proponents of the measure.

Powell then requested Mrs. Hobby to affirm or deny reports that she had countermanded the order of the president that segregation be ended in schools on army posts.

**MAYOR OF KILLEEN**

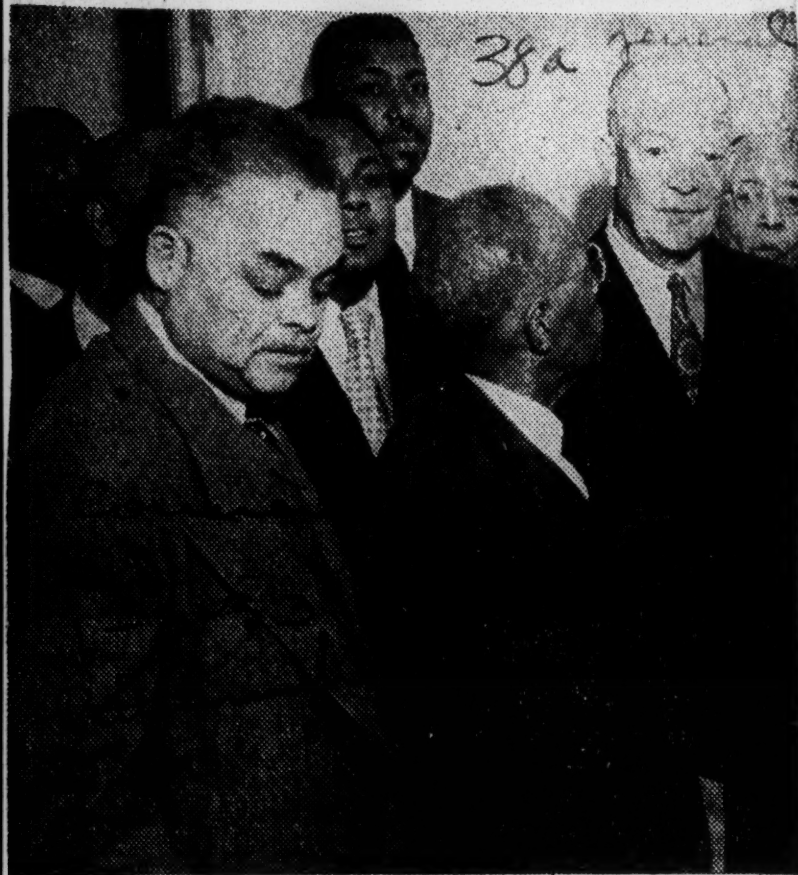
He charged that in back of her

action is the fact that one of her "close relatives" is the mayor of Killeen, Texas, where Camp Hood is located, and from she hails. Powell said he understood that Killeen is floating a bond issue to build a segregated school on land leased from Camp Hood.

Powell pointed out that "President Eisenhower has courageously announced that he will end segregation in schools on military posts. The Republican party lists this as one of the achievements of the new administration."



# Ministers Quiz Ike



**Talk With Ike**—President-elect Dwight D. Eisenhower is surrounded by a group of ministers representing the National Fraternal Council of Churches, after their conference last week in the Commodore Hotel in New York. Left to right: The Rev. Sandy F. Ray, Brooklyn; the Rev. John H. Sears, Chicago; the Rev. G. W. Lucas, Dayton, Ohio; the Rev. Andrew Fowler, Washington, D. C.; the Rev. W. H. Jernagin, Washington, D. C., chairman of the Council, and President-elect Eisenhower.—Bing Photo.

## Will Probe Bias in U. S.

By RICHARD A. JACKSON

NEW YORK—Promised the creation of a Human Relations Commission by President-elect Dwight D. Eisenhower at a conference here last week, officials of the National Fraternal Council of Churches speedily formulated plans for implementing the work of the organization.

Before departing, executive committee chairman W. H. Jernagin of Washington, D. C., announced that the group would

hold a meeting at the Twelfth Street YMCA in Washington, Jan. 19, at which time all churches interested would be enrolled to strengthen the body, which represents the spiritual leadership of some thirteen denominations. Communications from those interested should be sent to the executive secretary, the Rev. G. W. Lucas, 401 Summit Avenue, Dayton 7, Ohio.

**PRESIDENT-ELECT** Eisenhower listened intently and eagerly to church leaders in the conference and gave them assurance that they need have no fear that he will fail to do everything within his power for their race. He said that he would give full consideration to eight suggestions of the

council contained in a message which was read to him by the Rev. Sandy F. Ray of Brooklyn;

"I have differed with you in some ways, but it has not been a marked difference and I shall attempt to perform to the limits of my ability to eliminate these differences," he stated, and then quoted from a passage by Lincoln—"As God gives us power to do right."

He expressed some surprise when the Rev. L. K. Jackson of Gary, Ind., appraised him of the fact that Negroes have no redress from exclusion by hotels throughout the country. "I wish you could be a Negro for thirty days and travel through some sections of the country and get hungry and want a place to eat, or get sleepy and want a place to rest and feel the iniquities we have felt, you could better understand," the Rev. Mr. Jackson told him.



REV. SANDY F. RAY

... read eight-point program to General Eisenhower

**IT WAS THEN** that President-elect Eisenhower promised to appoint a fact-finding body on human rights. He assured the churchmen that he was intensely interested in human rights for he felt that America's might does not rest upon its armed strength, in the final analysis, but upon its spiritual strength.

He told of his recent meeting with the Freedom Heritage Foundation, which promotes in-

terracial good-will and gives nearly \$140,000 a year in prizes, and of wholeheartedly supporting their program, and of his encouragement of a Presbyterian minister for his out-spoken attack on bigotry in Savannah, Ga.

Some note of the Presidential victor's feelings about the overwhelming Democratic vote in Harlem was sounded when he told his conference that he couldn't understand how its residents had gone four-for-one for a party with a man like Spark-

man in it. "Especially," he said, "after we had promised them that we would work as hard as possible in their behalf."

It was explained that it was due to the fact that the Democrats had done so much for them, while the Republicans were out for twenty years.

The President-elect said it gave him the impression that they were most interested in social welfare. He hastened to assure his listeners, however, that he was going to do everything within his power to make Democracy a reality everywhere in the U. S. A. "I'm not doing things for votes, but because they're right," he said.

**IN THE CASE** of the FEPC demands, he said that was the horns of dilemma with which he must wrestle. He indicated that he was not in favor of FEPC enforced by the Federal Government, stating that he was against too much power being centralized in Washington and preferred leadership to solve problems rather than a national police force.

The Rev. O. Clay Maxwell of New York urged the General not to be misled by the old arguments of "The time ain't right," and "the people aren't ready for it." "The truth is, the people are far ahead of their political leaders," he said, and he cited several cases in the South where integration of the races in job opportunities and equal service have been highly successful.

In regards to appointments, President-elect Eisenhower stated that Dr. F. D. Patterson, president of Tuskegee Institute, had been recommended to him for an appointment by Jesse Jones, the Texas tycoon.

**EXECUTIVE** committee chairman Jernagin told the President-

elect that the group felt that the appointment of Registrar of the U. S. Treasury should go to a Negro. The position was once held by Frederick Douglass and in the Thirties by J. C. Napier, the banker.

The eight requests handed the President-elect by the council were:

- (1) Complete integration of Negroes in all phases and levels of the Armed Services.
- (2) Placing of Negroes in all branches and levels of the Federal Government on the basis of merit.
- (3) The elimination of racial segregation in Washington by Executive Order.
- (4) The establishment of a compulsory FEPC.
- (5) The strengthening and enlargement of the powers of the Human Rights sections of the Department of Justice against inhuman brutality and racial bigotry.
- (6) The strengthening of the UN and increasing of aid to under developed countries and accelerating of use of Negro Americans in all our International programs, such as Point 4, ECA and the Diplomatic Service.
- (7) Action by Congress to remove the filibuster.
- (8) The continuation and extending of basic legislation for the general welfare, such as job security and low-cost public housing.

Others taking part in the conference were Bishop A. W. Workman, president of the Council, CME, Indianapolis; the Rev. George W. Lucas, executive secretary, Baptist, Dayton, Ohio; Bishop H. T. Medford, AME Zion, Washington, D. C.; Bishop R. C. Lawson, Church of Jesus Christ, New York; Bishop Edgar A. Love, Methodist, the Rev. E. C. Smith, Howard University, Washington, D. C.; the Rev. Andrew Fowler, director of Washington Bureau of Council; the Rev. John H. Sears, Chicago, editor of the Baptist Layman; the Rev. G. H. Simms, president Empire State Baptist Convention, Union Baptist Church, New York City; the Rev. T. S. Harten, vice president of the National Baptist Conven-

tion, Brooklyn. Bishop J. A. Gregg of the AME Church missed the conference when his plane was reported grounded en route.

The National Council has purchased a building in Washington in which it operates its headquarters. It has kept a close watch on legislation in Congress and maintains close contact with all the departments of Government.



# Race-Bias Ban Not Enforced, U. S. Warned

## No Separate Facilities For Touring Mixed Group

### Ike Urged To Adhere To Federal Contracts

Washington, Jan. 16 (AP)—Government committee accused many federal agencies today of failing to enforce the ban against racial discrimination contained in practically all Government contracts.

The committee, named by President Truman a year ago to obtain better enforcement of the clauses, appealed to President-elect Eisenhower to carry out a set of sweeping recommendations.

"If every industrial and commercial firm doing business with the Federal Government lived up to the letter of the nondiscrimination clause in its contracts," the committee said in a report to Truman, "bias in employment would be a problem of the past."

### Says Millions Within Its Scope

"Government contracting is so far-reaching and widespread that millions of Americans in every trade and occupation are brought within the protective scope of the provision."

The committee, headed by Dwight R. G. Palmer of New York, chairman of the General Cable Corporation, said investigations of discriminatory job practices in Government contract work showed that Government agencies, employers, and labor unions all were at fault at times.

The committee recommended a number of new methods, including court injunctions against flagrant violations of contract anti-discrimination clauses and black-listing from doing further Government business.

### Other Recommendations Listed

Among the other recommendations:

1. Designate the Labor Department as agency to receive complaints of violations.
2. Require posting of notices of the nondiscrimination rule in plants doing Government contract work.
3. Insist on practicing an anti-discrimination policy in all State programs financed by the Federal Government—such as public-employment services, education, and vocational training.
4. Require nondiscrimination among contractors supplying the District of Columbia.

GREENSBORO, N.C. — All members of the interracial Boston University's Seminary Singers will eat at the same tables at all points throughout the south where they have scheduled concerts of religious music, a spokesman for that 51-voice group said at a concert at Bennett College last week.

The Singers requested accommodations where the concerts are scheduled for all members of their choir to eat together, the spokesman said, to promote racial harmony and unified spirit for the group.

The Bennett concert was one of the 22 scheduled in 10 southern states and the District of Columbia as a part of the group's annual winter tour.

Organized in 1928 by the present director, Dr. James R. Houghton, the Singers have traveled from coast-to-coast and from the Great Lakes to the Gulf. Five times they have provided the music at the general conferences of the Methodist Church.

Coming from 19 states, plus a member from Finland, the Singers present a wide representation of interracial integration.

At Bennett they rendered a program of three groups of vocal numbers and solos by Dr. Houghton and Charlotte Zimmer Dixon, contralto guest artist. Other selections were performed by the accompanists, H. Trall Heitzenrater and the Seminary quartet.

# Discrimination Out West Grows With Rise In Colored Population

NEW YORK — The gradual dispersion of dark-skinned races throughout the western states has brought increasing—and sometimes shocking—inroads of discrimination, it was revealed this week in a detailed report released by the National Bar Association's Committee on Human Rights for the Western States.

The report said the number of Negroes, Spanish Americans, Filipinos, Japanese and Chinese is growing steadily in all states of the Rocky Mountain, Southwestern and Pacific areas of the West. But concurrently with this growing population discrimination against these minorities in places of public accommodation, entertainment and recreation is becoming widespread and the problems incident thereto more acute.

It was observed that virtually all restaurants, eating houses and places of public entertainment in the towns of Reno and Las Vegas, Nev., famous for their divorce and gambling resorts, refuse service to Negroes and other dark-skinned persons.

In Phoenix, Arizona, nationally-known bandleader Louis Jordan and his wife were refused admission to the Sky Chief restaurant and the Rockstar lounge at the Sky Harbor municipal airport in September, 1952.

The report also revealed that in Cheyenne, Wyo., a city of 50,000 population, there are only two places where colored servicemen from nearby Warren Air Force Base could eat or buy drinks.

Investigators traveling through the mountain states of Nevada, Idaho, Montana and Utah found that the pattern of racial discrimination in restaurants, taverns, and amusement places was generally the same as in southern states.

Concern with this problem led to the establishment of the bar association's Committee on Human Rights for the Western States—the group making the report.

Serving on the committee are Cora T. Walker of New York City, chairman; Irvin C. Mollison, New York City; Ullysses G. Plummer, jr., Portland, Oreg.; James C. Flanigan, Denver, Colo.; and Robert E. Bryant, Benton Harbor, Mich.

The committee is currently mapping plans to push passage of civil rights statutes in Arizona, Idaho, Nevada, New Mexico, Montana, Oregon, North and South Dakota, Utah and Wyoming.

### Negro's Best Friend Is His 'Persecutor', Britton Tells Club

"The best friend of the Southern Negro is the man who persecutes him worst, because then the Negro gets a stomach-full and moves away to better opportunities," John Britton, Montgomery attorney, told the Lions Club Friday.

Remarking on a recent Tuskegee Institute speech when the Negro graduates were advised to stay in the South, Britton stated that here "the Negro is his own competition" and there is too much of it.

"The best opportunities for the Negro race are in the West where there is the least competition from members of their own race," Britton said.

One-tenth (more than 1,000,000) of the Negroes in the United States live in Alabama, he noted.

Six delegates to the Lions International Convention at Chicago were elected Friday. They are Charles Womack, Frank Powell, Dave Young, Cecil Frizzle, Ray Evans and Tom Jones.

Alternates are Pleas Looney, Tom Roberts, Jimmy Hamm and Havnes Tallant.

### Negro Tells Benefits of Segregation

BOOKER T. WASHINGTON BIRTHPLACE, Va. —(AP)—A Negro leader Sunday defended the South's traditional segregation system as having been "of overall benefit to the Negro."

Sidney J. Phillips, president of the Booker T. Washington Birthplace Memorial, said his race has achieved notable progress under segregation policies.

"The economic progress of the Negro as achieved and as presently enjoyed is due in large measure, if not practically entirely, to the pattern of segregation," said Phillips.

He spoke in connection with dedication of the new Booker T. Washington Memorial Highway in this area.

"The circumstance of the segregation system has been of overall benefit to the Negro," said Phillips. "Handicapped as he was when emerging from slavery, it has given him a field of his own to develop. Within that field, he has had opportunity to work out his own destiny, to find himself, to grow to man's estate without the competition with which he could not have coped had the circumstances been otherwise."



## It's Mr. Lee Again

(From The Savannah Tribune)

We have our doubts about any literate Negro who says he willingly accepts the practice of segregation and discrimination. According to our thinking, no self-respecting Negro can agree with any practice or social system that makes him less than other human beings; that brands him as inferior, as a second class citizen, because they have won decisions outlawing segregation in higher education and in transportation, and ending discrimination in teachers' salaries, etc. We do not concede that 25 per cent of Negro teachers in any state will be displaced if segregation in elementary schools is outlawed. We do not believe anybody knows that this will happen. We do not expect the disastrous results Davis Lee of the Newark Telegram foresees. Nor do we believe him sincere when he insinuates that the N. A. A. C. P. keeps up its advocacy of equality to make jobs for its administrative personnel. We suspect that if it were not for the work of the "agitators" the Newark Telegram would not be acceptable on the exchange desk of Southern Newspapers. Thousands of people in the South and in the North who recognize segregation as the vicious and damning thing that it is, though they pity him, are quite amazed at the attitude of the editor of the Newark Telegram, and wonder what is behind it. There are statements in an editorial from the Telegram published in the True Citizen of Waynesboro, Georgia, that are contrary to reports we have had from New Jersey. Contrary to what the editorial says, there are more Negro teachers in New Jersey instead of fewer, since integration has taken place; there are more than 150 Negro teachers in schools, colleges and universities in the North. And finally, we wonder why Mr. Davis Lee lives in Newark rather than in Georgia.

## Thirteen States Drop Race Tags

CHICAGO, Ill. — The country-wide drive to abolish racial discrimination, got a boost this week from the Illinois Commission on Human Relations who indicated that an increasing number of states are eliminating race or color designation from drivers' license forms.

The recent survey, conducted by the commission revealed that thirteen states no longer require information about race or color on drivers license applications.

The report said that seven states that formerly required this information acted recently to drop the question. Six others have never requested race designations. Several states asserted the practice offered no practical use to efficient motor vehicle operations.

One of the states, California, passed a statute in 1949 making it a misdemeanor to include race questions for any state department application. An amendment was passed in Ohio in 1949 to eliminate

the practice. Rhode Island did away with the idea in 1950, and it was removed from New Jersey books in 1951.

Massachusetts and Minnesota eliminated the question at the request of citizens groups.

## The Morality Of Segregation

"Can segregation itself be tolerated, not only in education, but in all its aspects? I presume that all moralists are interested in this problem which so profoundly touches the social order of our country. Discrimination, which—as distinct from segregation—implies unequal treatment, is obviously unjust. Also unjust is compulsory segregation: first because it implies a stigma imposed on one race by the other; and secondly, because it inevitably leads to unequal treatment. The only form of segregation that might conceivably be morally justifiable is segregation by mutual agreement and with equal rights. Even this, it seems to me, is per se contrary to the bond of union that should exist between people of the same nation and contrary to the common good of the nation itself. It might be tolerated as the lesser of two evils, e.g., because the two races could not live peacefully together; but this situation would be a tragedy. It

## GENERAL

### Racism Seen as Menace

TO THE EDITOR OF THE NEW YORK TIMES:

This is Negro History Week. It is the one week in which all of us, regardless of our ethnic background, should pause and consider some of the problems and accomplishments of fifteen million of our compatriots who trace their ancestry to Africa. We should take a keener interest in the history of Africa. We should learn something of the hopes and aspirations of Africans as well as those of Europeans and Asians.

The world is struggling for security, peace and real freedom. People are no longer accepting inferior roles in the exploitation of their nations and themselves by foreign bigots who preach Christianity but who practice not what they preach. Negroes in Africa, I am sure, are struggling in a struggle. This Negro History Week, therefore, we should become familiar with the aspirations of Negroes in Africa and in America. We should realize that what is true of Eastern Europe is also true of Africa—namely, that the denial of human rights anywhere is a denial of human rights everywhere.

Racism, not communism, is our greatest menace. For we must remember that, in spite of rumors of Russian anti-Semitism, communism feeds more on the racism of the West than on the subtle dogmas of Marx and Engels. Attack racism and we attack communism. We can begin this week by studying the past progress and mistakes, as well as present problems, of Africans and the descendants of Africa.

FRANK PEREIRA

New York, Feb. 8, 1953.

is a tragedy, however, that might naturally develop among us if Negroes and other minorities can attain to full equality only by constant strife which engenders bitterness and aversion.

*Birmingham, Ala.*  
"I recently noticed a report based upon the study of 22 boys, ranging in age from 14 to 17 years, who were hospitalized for heroin addiction. All but one of these boys were either Negroes or of Puerto Rican descent. The report says: 'Among pertinent social factors in the addiction is the feeling in these groups that they live in an alien, hostile culture that considers their racial characteristics as stamps of inferiority. They suffer almost continuous injuries to their self-esteem.' Only God knows the full extent of these terrible psychological injuries; but every moralist knows that they are a reality and he must consider them carefully when solving cases pertinent to co-operation in discriminatory practices."

## White Students Ask For Jim Crow's End

GREENSBORO, N. C. — (AP) — Two hundred white student leaders assailed segregation of the races in the Methodist Church and its affiliated colleges at a conference here last week. The group approved a resolution favoring the acceptance of Negroes in church-supported Methodist institutions.

The resolution adopted by the group said:

"The Methodist church should realize that it must break down the bars of segregation."

The action was taken by members of the North Carolina Methodist Student Conference at its final business session.

The views of the conference will be submitted to the two district superintendents and presidents of the Methodist affiliated colleges and universities in the state.

If the sentiments expressed in the resolution were put into action educational institutions affected should be Duke university, High Point College, Greensboro college, Bennett College, a women's college for Negroes at Greensboro; Pfeiffer Junior college, Louisburg, Junior college and Brevard Junior college.

The seminar sessions were under the direction of J. Floyd Moore, professor of religion and ethics at Gullford college.

## Negro May Be Hurt By End Of Segregation

To the Editor:

Some weeks ago I read an article giving Negroes of the South some good advice. Davis Lee, Negro publisher of The Newark (N. J.) Telegraph, warned fellow members of his race that they stand to lose much more than they might gain in the abolition of segregation in schools of the South. His reasons are supported by actual figures comparing Negro employment in Southern and Northern school systems.

"Integration in the schools in the North and East is not a howling success," Lee writes. "A Negro can attend most of the schools up here and get an education, but few of the states that educate him will hire him as a teacher."

Then he points out that Connecticut has fewer than 25 Negro teachers. His own Newark, where Negroes constitute 20 per cent of the population, has only 70 Negro teachers out of 2,200. In contrast, he cites Georgia's 7,313 Negro teachers, North Carolina's \$22 million payroll for its Negro teachers last year.

Davis Lee further says: "Despite all the hullabaloo about the liberal East and North, no Negro has been made head of a state college or university. Down South the woods are full of Negro college and university presidents."

His object is plain: Under an unsegregated school system, whites get most of the teaching jobs; only under Southern segregation are Negroes running their own schools and getting paid for it.

Blaming certain paid agitators and pressure groups, Davis Lee says: "The movement to end segregation in the schools is merely the beginning of a well-laid plan to completely end segregation in everything in the South. If this happens, the Negro will be thrown into direct competition with the white race, and our business institutions will crumble. . . . The price is too great."

GEORGE W. BLANTON.

Box 56, Cordova, Ala.



Head of Atlanta U. Dr. Benjamin E. Mays Says:

## Hits Color Barrier

*Special to the Herald Tribune*  
Fears It May Cause U. S. to Lose Ground Abroad

BRONXVILLE, N. Y., March 22.

—Dr. Rufus E. Clement, president of Atlanta University, said today that the color barrier in the United States has caused great difficulty for the State Department in formulating its foreign policy.

"Unless the United States can rid itself of color consciousness," Dr. Clement said, "the one-third of the world which is now undecided between communism and democracy will probably be lost to communism."

Dr. Clement was a speaker at a symposium on "Color in Democracy" held in Reisinger Auditorium of Sarah Lawrence College by the Westchester committee for the United Negro College Fund.

Fannie Hurst, novelist, said that foreigners often believe that certain local situations involving discrimination are true of the nation as a whole. "Our internal problem of segregation is our national disgrace," she said.

Dr. Ira DeA. Reid, head of the sociology department at Haverford College in Pennsylvania, said that in the last ten years the country has been moving to the principle of conversion to democratic, social and non-color-conscious institutions. William J. Trent jr., executive director of the United Negro College Fund, reported on its operations.

# 'Legal End Of Segregation Does Not Solve Problem'

By BELVA T. SIMMONS  
Argus Staff Correspondent

The legal end of segregation does not necessarily mean that the problem of the Negro will be solved, declared Dr. Benjamin E. Mays, president of Atlanta Georgia's Morehouse College, in an address here last Thursday evening.

Dr. Mays was principal speaker at the eighth annual banquet of the Homer Phillips' Interne's Alumni association, given in the refectory at Kiel auditorium. The eminent educator and author, told the more than 300 delegates and guests in attendance, that "we must prepare to fight discrimination in a non-segregated society."

Speaking from the theme, "The Old Deal versus the New Deal," Dr. Mays warned that even though the new deal had provided that man be judged in the world on the basis of ability, it would not be enough to say that man would be taken on that basis alone.

"We must see that the means for the man with ability are there for him to become qualified. . . . We must see to it that they be given the chance to be comparable through experience," the speaker said.

Dr. Mays explained that over the 244 years of slavery and 88 years of attaining the present heights, that the Negro has not had the opportunity to become qualified. The doctrine of separate but equal is part of that New Deal, he explained, but it can hardly exist under a segregated economy by saying, that while one group has all the money, makes all the laws and is administrator of all policies, that that group which is in power, could never deal fairly and honestly with the group which isn't in power.

"It's human nature being what it is," he termed the ideology.

The object of all planned segregation, he added, is to set one apart, but the hopeful sign over the nation and the world is watching people pull together for world development.

As a concluding warning he told the group, that the Negro should continue to beware, this

time of maternalism in working together, where those who were the powers will continue to give the score and dictate policy to the minority groups.

Special guest at the meeting was Dr. D. L. Dickey of Taylor, Texas, who was chosen doctor of the year by the Chamber of Commerce there. Seated at the head table were: Dr. A. M. Townsend, master of ceremonies, Dr. Walter E. Hennerich, St. Louis hospital commissioner; J. Glennon McKenna, director of Department Public Welfare; Virgil McKnight, superintendent, Homer Phillips and Dr. Wells A. Forde, president of the Alumni Association.

## Ives Leads New Attack on Bias; Seeks Ban by Change in Taft Act

By WILLIAM S. WHITE

Special to THE NEW YORK TIMES.

WASHINGTON, May 4—A bipartisan group of pro-civil rights Senators headed by Irving M. Ives, Republican of New York, will attempt tomorrow a new approach in the old effort to outlaw racial or religious discrimination against workers.

With formidable backing, Mr. Ives will introduce in the Senate a bill to amend the Taft-Hartley Labor Act to make such discrimination an unfair labor practice, no matter whether a union or an employer is the offender.

After long private negotiations, Senator Ives contends he has the support of eleven of the thirteen members of the Senate Committee on Labor and Public Welfare.

He has been informed that only Senator Robert A. Taft of Ohio, the Senate Republican leader, and Senator Lister Hill, Democrat of Alabama, and the one Southerner on the labor committee, will refuse to go along.

The Southerners, of course, have stood solidly for years against any Federal sanctions in the civil rights fields on the contention they would violate the rights of the

states. Senator Taft not only is personally on record against Federal compulsion, but also is the principal legislative lieutenant of President Eisenhower, who in the Presidential campaign came out against such compulsion.

Members of the labor committee of whose aid Senator Ives declares himself certain are:

REPUBLICANS—Senators H. Alexander Smith of New Jersey, the chairman; George D. Aiken of Vermont, Dwight Griswold of Nebraska, William A. Purtell of Connecticut and Barry Goldwater of Arizona.

DEMOCRATS—Senators James E. Murray of Montana, Matthew M. Neely of West Virginia, Paul H. Douglas of Illinois, Herbert H. Lehman of New York and John F. Kennedy of Massachusetts.

A Senate Labor subcommittee headed by Senator Ives will open hearings on May 10 on a conventional bill to put Federal penalties against discrimination apart from the mechanism of the labor law—an effort that for years has failed. It may be taken for granted, how-

ever, that the central emphasis of the civil rights forces actually will be turned toward the new Ives approach.

It is understood to have the backing of the National Association for the Advancement of Colored People, politically the most powerful of the groups that for years have sought enactment of a civil rights program.

Essentially, it would:

¶ Forbid labor unions, on pain of being denied the protection of the whole collective bargaining machinery, to refuse equal status and opportunity to Negro or other workers for racial or religious reasons.

¶ Forbid employers, on pain of being taken to court and enjoined against unfair labor practices, to discriminate in any form for such reasons.

Formal approval by the labor committee of the new Ives bill is foregone. When it reaches the Senate floor, however, the Southern and allied opposition unquestionably will put in a filibuster, or a time-killing action to prevent a vote, if this seems necessary.

### Threat to Adjournment

But the Ives forces, while ready to acknowledge the power of the filibuster in ordinary circumstances against the civil rights program, believe that by attacking their attempt to labor law as distinguished from general law they may lessen the old resistance.

At all events, their plan—which involves close to a majority of the whole Senate bloc of declared liberals in both parties—will raise at least a latent threat, the degree of which will be determined by future events, to the whole program of the Republican Congressional leadership for an early adjournment.

These leaders already have been forced to concede that a July adjournment is hardly more than a hope now. They were put on notice during the day, moreover, of a second possible filibuster, this one on the issue of admitting Hawaii as the forty-ninth state.

### Recalls G. O. P. Promise

Southern Senators began to predict this bill—against which most of them always have stood—would be delayed or set aside. The unspoken alternative was a filibuster.

The Republican delegate to the House of Representatives from Hawaii, Joseph R. Farrington, instantly put on a counter pressure. He issued a statement recalling that the Republican platform of 1952 had promised Hawaii "immediate" statehood and that President Eisenhower in his Message to Congress last January had recommended it.

He called on the Republican

Congressional leaders not to "yield anti-discrimination bill on for to this threat," meaning that of action.

Senator Taft replied the Hawaii bill would be brought before the Senate after there had been action on economic controls and two or three appropriations bills. It was plain the Republican leaders generally were not likely to relish attempts, in these circumstances and considering the offshore oil bill now in the fifth week of debate, to bring the Ives



# Ike says segregation going out in U. S. controlled institutions

WASHINGTON, June 11—(AP)—

## SEGREGATION END

### AIM, ASSERTS IKE

Race segregation in veterans hospitals and in Southern shipyards—as well as in schools on Army posts—is in its way out.

President Eisenhower has given this assurance to Rep. Adam Clayton Powell (D., N. Y.) in reply to an accusation by the Negro congressman that three members of the president's "official family" have been undermining the administration's stated stand against segregation.

In a telegram to the president last week Powell named the officials as Sec. of the Navy Robert B. Anderson, Sec. of Health-Education-Welfare Hobby and Adm. Joe T. Boone, chief medical officer of the Veterans Administration.

Yesterday Powell made public Eisenhower's reply, which said in part:

"I HAVE MADE inquiries of the officials to whom you refer and learn that they are pursuing the purpose of eliminating segregation in federally controlled and supported institutions."

"We have not taken and we shall not take a single backward step. There must be no second class citizen in this country."

Powell hailed the president's statement as "A Magna Charta for minorities and a second Emancipation Proclamation."

Specifically, the congressman had protested against maintaining of separate facilities for Negroes and whites in veterans hospitals, in the Norfolk, Va., and Charleston, S. C. Navy yards and in Army post schools.

Eisenhower ordered an end to segregation in Army schools

some time ago, but Powell contended Mrs. Hobby, as administrator of federal aid to schools in critical housing areas, was delaying the process.

On another segregation front, a Supreme Court decision that all eating and drinking places in the District of Columbia must serve all "respectable and well-behaved persons" caused scarcely a ripple in the capital's social pattern.

Although Negroes thus were enabled to patronize restaurants which previously had refused to serve them, only a handful did so.

WASHINGTON, June 10 (AP)—President Eisenhower says federal agencies are "pursuing the purpose" of ending racial segregation in veterans hospitals, navy shipyards and schools on Army posts.

The President made the statement in a letter to Rep. Adam Clayton Powell (D-N. Y.) who made it public Wednesday.

"We have not taken and we shall not take a single backward step," Eisenhower wrote. "There must be no second class citizens in this country."

Powell had complained to the President in a telegram a week ago that top officials of the Navy, veterans administration and health, education and welfare department were undermining his stand against segregation in federally supported projects.



# Dobbs Calls Magazine Article Awkward, Unfair

*World*  
*Atlanta, Ga.*  
Georgia's Masonic fraternal leader, John Wesley Dobbs of Atlanta, has cried "foul" at the manner in which a magazine has handled an article ostensibly obtained from him and published under what he termed the "misleading" caption "My Daughter Married A White Man."

*Fri. 12-18-53*  
In a letter of protest to an associate editor of "Ebony" magazine, Mr. Dobbs charges that the magazine assumed an "unfair method . . . to exploit my name and reputation" with the article 'about my daughter, Mattiwilda.'

Mr. Dobbs further told Miss Cloyte Murdock, Ebony associate editor, in his letter of protest that "I did not think you came to interview me about my daughter's marriage. I thought that was only incidental."

## *P. 1* TITLE "CHEAP, MISLEADING"

The title, "My Daughter Married A White Man," Mr. Dobbs said, "is cheap and misleading. In the first place I did not say it; in the next, it suggests that I was either trying to brag about it, or that I was ashamed of it. Neither suggestion is correct."

"Your magazine," Mr. Dobbs continued, "owes me an apology and a retraction about the head line of the article."

The grand master of the state's Masons further called the attention of the magazine editor to the fact that "you have also paid for advertisements in 'several publications' 'further exploiting my name and reputation.' He requests the magazine 'immediately stop that type of cheap publicity.'

Mr. Dobbs concluded his letter to the Ebony editor by declaring "I feel that you have placed me and my family in a very awkward and unfair position by twisting and distorting words in a seeming effort to increase the sale of your magazine."



# "The White Ladies Are Welcome"

A BI-RACIAL delegation of women sought to pay a Christmas visit to Mrs. ROSA LEE INGRAM who, with her two sons, is confined to the Georgia State Prison for life. Mrs. INGRAM and her young sons were involved in a fracas with a white farmer, who was killed during the altercation with his own gun. The INGRAMS claimed self-defense, but to no avail.

Prison authorities refused to admit the women so they sought the aid of Governor TALMADGE. The Governor was hunting quail on his 2,500-acre farm near Lovejoy, and was not at home when the delegation reached the farm manse in taxicabs.

Mrs. TALMADGE met them at the door, and seeing that four of the women were colored, told them: "We have segregation here. The white ladies are welcome to come in and the colored ladies may wait with some nice colored people on the farm here." The delegation as a whole rejected the suggestion and waited in the cabs in the driveway.

Mrs. TALMADGE's remark, spoken to women who came to see the Governor on business, will go down in history as another of the boners which have steadily alienated friends of western civilization in more than half the world.

It was a remark that described the "superior race" doctrine and the "white supremacy" theory which now has China, India and Africa in a state of revolt.

Georgia's first lady aptly followed Georgia policy: "The colored may wait." Those words tell the story which is being repeated so often now in the United Nations Organization and in diplomatic channels in all parts of the world.

## Sues Studio Over 'Award'

SAVANNAH, Ga. — Mrs. H. M. Collier last week filed a \$5,000 damage suit against a photographic studio, alleging refusal to make good a "guaranteed award certificate service" because of her race.

According to the suit, Mrs. Collier paid \$2 for a \$24 award certificate, entitling her to two photographs at the studio. However, when she went to get the portraits, Mrs. Collier was informed that no service was rendered to Negroes, the suit contends.

## Prather Seeks

## \$20,000 Damages

ATLANTA, Ga. — George Prather, 27-year-old businessman, last week filed a civil suit asking damages of \$20,000 growing out of a brutal attack on him by special officers of the local State Farmers' Market.

The suit, filed through Atty. Daniel Duke in Fulton County Civil Court, charges two counts of law violations by three Fulton deputy sheriffs who have been indicted by the Fulton grand jury on criminal assault and battery counts for allegedly beating Prather, May 17.

The petition was filed against Century Life Insurance Company as underwriters of a surety bond for the Fulton County sheriff under whom deputies T. H. Leathers, E. L. Turner and E. H. Gardner worked. The civil action charges the deputies breached the sheriff's bond in two counts — illegal arrest and false imprisonment of Prather and assault and battery on his person.

## Protest Segregated Exhibit In Georgia

MACON, Ga. — Negro morticians of Georgia are "burned up" this week after receiving an invitation to attend a segregated exhibit of merchandise for purchase from members of the Georgia Funeral Society Salesmen association.

F. J. Hutchings, sr., of Macon, told the Defender this week that he has received numerous protest calls from members of the Georgia Funeral Directors and Embalmers asso., of which he is president. Hutchings said:

"I fail to see the salesmen's logic in segregating Negroes to view exhibits when these same salesmen will come to the office of colored morticians and sell them merchandise without any thought of segregation."

According to the invitation, "colored customers are welcome to attend without charge from 10 a.m. to 12 noon on Tuesday, March 31, by registering at the 6th street motor entrance to the hall; all others enter exhibit via convention registration desk in lobby."

Hutchings said the matter would be aired in May when the association meets in Albany.

## Talmadge Signs Segregation Bill

Gov. Talmadge yesterday signed the bill creating an education commission to study means of preserving segregation in state schools in the event of an adverse U.S. Supreme Court decision.

Members of the group include the governor as chairman, the lieutenant governor, the speaker of the House, the attorney general, a labor association representative and citizens from each congressional district.

## This Is A Case We Must See Through To The Finish

It is always unfortunate when incidents detrimental to harmonious community relations occur. Such an occasion happened Sunday when George Prather, Jr., a businessman was beaten by a group of unidentified white men at the Farmer's Market. This instance of brutality naturally stirs resentment and indignation. For we had come to expect orderly processes of law and quick and efficient settlement of grievances in urban Atlanta.

Now, when Atlanta is still accepting the congratulations of the U. S. for electing a Negro to the School Board and two more race leaders to the City Executive Committee, there has risen a blatant and horrifying outburst of violence against a respected member of our community. We must not take the attack against him lightly.

Past experience vividly and forcefully drive home the fact that violence and brutality against one man in our community sets an ugly pattern. Therefore, regardless of who committed this wanton act, we must act speedily to bring to justice the guilty whether he be connected with city, county or state government. Any other course would be unwise and hardly defensible.

Several organizations are probing the circumstances which led to this attack against Mr. Prather. They intend to act to thwart this type of lawlessness in our community. They should be joined by law enforcement agencies of our city, county and state. This type of thing should be nipped in the bud.

Sorting the facts, we acknowledge that Mr. Prather was caught in a traffic jam, during which time a motorist used a epithet highly insulting to our racial group. A retort from the beaten followed. A few blocks away from the site of the word exchange, Prather was accosted by three men who announced they were going to teach him a lesson. A nightmare followed which had a content of unusual bitterness and ugliness. He was pounced upon, beaten at gun point, arrested and jailed. His mother witnessed this night of horror as the men disdained showing any mercy in her presence.

Men taking the law in their own hands engage in a dangerous pastime.

Mr. Prather's civil rights have been violated by this brutal attack. His life and well being were jeopardized by men who have not fully established their association with the law.

The community naturally is upset over all of this. Prompt action is needed to allay their fears that this sort of thing never happens again. Prompt remedial action is the only course towards this end.

We must see this case through to its climax. All civic agencies

should work towards this objective while enjoying the sympathetic cooperation of law enforcement agencies.



# Grand Jury Hearing Slated On Fray Near State Market

BY GEORGE COLEMAN

A Municipal court judge dismissed charges against George Prather, young businessman, yesterday after a colorful defense by Attorney Daniel Duke who demanded that the issues be taken before the Grand Jury for further disposition.

A few hours later, Fulton County Solicitor General Paul Webb said the case would be presented to the current Grand Jury. A group of Negro leaders, including a college president, a pastor of several local churches and regional NAACP officials had visited Webb in his chambers immediately following the dismissal of the charges against Prather.

## DISORDERLY CONDUCT

Prather, his right hand still in a cast, and the right sleeves of his coat dangling empty at his side, was called to face charges of disorderly conduct, resisting arrest and swearing about 7:40 a. m. before Judge A. W. Callaway.

A few weeks before he had exhibited a broken right hand, broken nose, and multiple facial bruises, after the incident a few blocks from the state market to which he had taken his mother, Mrs. Ida Prather, to purchase groceries.

The case was thrown out after Duke entered a demurrer on the charges and quoted several Georgia codes, which he said, showed the arrest in its entirety was illegal.

## ALLEGED BEATING

The details of what happened at the market and the facts surrounding the alleged beating of the youth by the three officers shortly after, were not aired at the hearing.

Proceedings centered around the charges and the legality of them. T. H. Leathers, retired city policeman, admitted under fire from Duke that the motivation for the arrest was an alleged "Cursing in the presence of a female."

However, Leathers was unable to produce the alleged female victim or give her name. He said softly that he would "find" out.

"He doesn't even know the name of the female," Duke exclaimed, and pointed out that if the case was reset, "They'll dig up some witness that won't be a witness."

## ADDITIONAL TIME

Leathers had pleaded for additional time to gather witnesses, and further prepare his case, but Duke pointed out that he was able to produce witnesses for Prather's defense

and that "they've had time to get ready."

The defense attorney insisted on a complete list of the charges made against Prather. He charged a violation of the 14th Amendment of the U. S. Constitution and the Georgia Constitution in that the charge, "disorderly conduct," fails to put a subject on notice of the actual charge against him.

He further argued that the City ordinance of the charge "is vague" to the extent that a defendant "has no means of knowing any facts for which he is charged."

## DUE PROCESS

Duke declared that the charge also placed the defense attorney in the same light and as a result of the "wide margin" of the charge deprived a defendant "of due process of law."

The case, however, actually broke down on the swearing charge. Duke asserted that not only was Leathers unable to produce the alleged female, but that he had exceeded his authority in arresting Prather.

"They were not in a place where they were hired to be," Duke declared of the officers. The three men, Leathers, E. L. Turner and E. H. Gardner, have been identified as special deputies hired to work at the market. They are reportedly sworn in by the sheriff's office and have no authority outside the compound where they work.

## GRAND JURY

Duke cited several codes which revealed that a charge of swearing must originate with the Grand Jury. In such cases, Duke declared, an officer becomes a "private citizen" and must make his complaint to the jury. He further pointed out that swearing, upon the issuance of an indictment, becomes a state offense and must be tried in a higher court than a city court.

Leathers then asked the court to try Prather for resisting arrest, but Duke quickly countered that if was illegal to arrest Prather for alleged swearing it would be illegal to try him for resisting an illegal arrest.

Declaring of the officers that "They were not in a place they were hired to be," Duke told the court, "This man (Prather) had a right to kill him since the arrest was illegal."

Among several prominent citizens

present at the hearing, were: Daniel Byrd, Regional Director, NAACP; C. L. Harper, president of the local NAACP; C. T. Perkins, Field Representative, NAACP; J. H. Calhoun, popular NAACP official; C. A. Scott, Editor, Atlanta Daily World; the Rev. R. B. Short and James P. Brawley, President of Clark College.



## Cemeteries And FEPC

The Iowa legislature has enacted a law preventing racial or religious discrimination in any of the state's cemeteries.

The measure was designed to avert humiliating incidents like that of Sergeant John Rice, a Korean war casualty.

The widow of Sergeant Rice was refused interment of his body in a Sioux City cemetery because of his Indian ancestry.

The action of the Iowa-law-makers forms another one of those paradoxes of America's racial problem.

The same senators who voted 44 to 0 to grant equality to the dead, have stubbornly refused to enact badly needed legislation guaranteeing equality of job opportunity to the living.

## Mrs. Elaine Booker Sues Store for \$10,000 Damages

Mrs. Elaine Booker, 2802 Chicago street, Sept. 8, filed suit in the Polk County district court for \$10,000 damages from the H. L. Green Co., Inc., operators of the F. and W. Grand store, 507 Walnut street.

Mrs. Booker said she was refused service, because she is a Negro, in the dining room of the F. & W. Grand store. She said the waitress told her that she could not serve Mrs. Booker, and that the waitress was carrying out the order of the store.

Mrs. Dorothy L. Birdsall, waitress, was named co-defendant in the suit.

## Indian widow loses JC suit

Burial denied GI killed in Korea

DES MOINES, Ia. — The widow of an Indian sergeant, killed in Korea, last week lost a \$180,000 suit against Sioux City cemetery officials who refused to allow her to bury her dead husband in an all-white cemetery.

The Iowa State Supreme Court, in its decision, handed down against the appeal of Mrs. Evelyn Rice, widow of Sgt. John R. Rice, 37, Winnebago Indian, ruled that the UN charter has no bearing on private contracts by U.S. citizens.

In her suit, the widow claimed the restrictive clause of the cemetery contract, providing for burial of Caucasians only, violated the 5th and 14th amendments of the U.S. Constitution, sections of the Iowa State constitution and the United Nations charter.

The decision handed down by the Supreme Court, upholding an earlier decision by a lower court, stated the principles of the UN charter do not supersede state laws relating to contracts and have no bearing on the case.

Sergeant Rice, World War II veteran, was killed in Korea in Sept. 6, 1950. Preparations were made for a military burial in Memorial Park cemetery when officials interfered. The body was interred with military honors in Arlington National cemetery.

# Iowa Restaurants, Hotel And Motel Operators Told They Must Abide by Laws

Atty. Gen. Leo A. Hoegh this week was praised by the legislative committee of the Des Moines Branch of the National Association for the Advancement of Colored People for the prompt action and the forthright manner in which he pledged to carry out the enforcement of the Iowa civil rights laws.

Hoegh told all Iowa hotel, restaurant and motel operators Oct. 6 that they must comply with the state's civil rights laws.

He made his statement in identical letters to secretaries of three associations.

H. J. Schaller of Sioux City, Iowa Hotel association; Roger Schares of Des Moines, Iowa Restaurant association; and Lewis S. Wilson of Des Moines, Iowa Motor Court (motel) association.

### 'Abide By It'

The letters said that evidence has been presented to this department showing violations of our civil rights statutes.

"The primary purpose of such laws is to protect all people against the discrimination and humiliation on account of their race or color.

"We feel certain that members of your association as well as all citizens of Iowa will abide by this law when appraised of it," Hoegh added.

The letter then asked the secretaries to inform their members of the law and advise them to comply with it.

Hoegh's action followed a visit to his office last week of a committee headed by James Morris of Des Moines, editor of "The Bystander."

The committee told Hoegh that Negroes had been refused lodging and meals in some Iowa hotels and restaurants.

James B. Morris, chairman of the NAACP Legislative committee along with Irwin Turnin, service officer

for Lincoln Post of the American Legion in Des Moines and Rev. John E. Hunter, pastor of St. Paul AME church, informed Hoegh of recent cases of discriminations. Morris wrote the following letter of commendation:

### Prompt Action

"In behalf of the Des Moines Branch of the NAACP I wish to express our appreciation for the forthright manner in which you not only pledged to carry out our requests for the enforcement of the Iowa civil rights laws, but also for the prompt action you took in the matter. All too often this has not been the case when requests of this type have been made to higher authority.

"We have gone about this program for the enforcement of civil rights laws in this manner because we appreciate the assistance of the public is essential in order to make any law enforcement successful. We are convinced that a majority of the people in Iowa welcome your leadership, an element in the enforcement of the civil rights laws which has been lacking, and will observe them along with other laws on the statute book."

A subcommittee was designed to draft and execute final plans for the intensification of the Fighting Fund campaign.







# Amphitheatre Can Bar Negroes, Court Rules

## Louisvillian Loses Appeal on Ticket Sales At Iroquois Park Summer Musical Shows

The Louisville Park Theatrical Association does not discriminate illegally by refusing to admit Negroes to summer musical shows at Iroquois Amphitheatre, the United States Circuit Court of Appeals held yesterday.

The action of the court at Cincinnati upheld a decision of U. S. District Judge Roy Shelbourne.

Shelbourne ruled here in September, 1951, that the theatrical association could deny admission to anyone, because it only leases the amphitheatre from the City of Louisville for a few weeks each year.

### Could Have Own Season

His decision that "such occupancy is not of a sufficient length of time to interfere with a similar use . . . by other organizations" implied that a Negro group could have its own season at the amphitheatre.

The suit was brought by James W. Muir, 1730 W. Walnut, then a Municipal College student. It sought an injunction to prevent the theatrical association from refusing to sell him a ticket.

### Called It City Function

Muir was represented by Benjamin F. Shobe, Louisville attorney, and Robert L. Carter, New York, attorney for the National Association for the Advancement of Colored People. They contended the theatrical association was performing a city function.

Shobe was unable to say yesterday whether an effort would be made to take the case to the U. S. Supreme Court.

## Churches Hit Bias In Louisville

LOUISVILLE, Ky. — (ANP) — The Jefferson County Sunday school association last week adopted

a five-point program calling for integration in 1953. The group is interdenominational and represents 32 Negro churches in the Louisville area.

The program includes:

1. Admission of colored doctors to the Jefferson County Medical association and to staff positions at hospitals accepting colored patients.
2. Use of all city parks by all citizens.
3. Integration of colored police into the city police force and their assignment to duties throughout the city.
4. Non-segregation of pupils in all public schools and use of colored teachers in the schools.
5. Adoption of a fair employment practices act.

## 2 Negro Families Find Wooden Cross, Note Signed 'Klan'

Two Negro families who live at 2704 Grand told police they found a 4-foot wooden cross and a kerosene-filled bottle on a pole in their back yard yesterday morning. *Thurs. 7-16-53*

Attached to the pole was a note warning them to "Get out," they said. It was signed "Ku Klux Klan." *P. 4*

Thomas Terry and Warbell Smith said their families are the only Negroes living in the neighborhood. They moved on Memorial Day into the nine-room house owned by another Negro, William Ramsey, 1513 Beech.

Police said they would investigate.

# McAlpin Relents, Louisville Happy

LOUISVILLE, Ky. — Atty. Harry S. McAlpin, who had Louisville officials pulling their hair as the celebration of the city's 175th anniversary approached, switched his strategy late last week and thereby eased the harried city fathers' pains.

McAlpin, head of the local NAACP, hates the city's Jim Crow laws. And whenever he gets a chance to take a crack at them he does.

Early last week he got an idea. As a part of the city's 175th anniversary celebration a big pageant called "The Tall Kentuckian" is being staged in Iroquois Park. The pageant depicts the life of Abraham Lincoln and a number of Negroes are in the cast of the spectacle. *5-30-53*



ATTY. HARRY S. McALPIN

the spectacle on which the city is spending \$30,000.

### A GESTURE

As a gesture of good will — and also to permit the Negroes to appear in the pageant — Mayor Charles Farnsley revoked the Jim Crow laws that prohibit Negroes from entering the park. The law was not permanently revoked — just from June 15 to July 4, the duration of the celebration.

McAlpin, a former Defender Washington correspondent, saw his chance. He declared that the mayor could not revoke the Jim Crow law. He threatened to enter

suit against the police department if it did not enforce the Jim Crow law by arresting every Negro who entered the park.

This would have ruined the pageant and soured the spirit of the celebration. Louisville's city fathers were tearing their hair. McAlpin was right, so what could they do?

Evidently someone talked to McAlpin, or maybe he felt he was being just a bit too rough on the city officials. Anyhow he changed his strategy. He's still fighting the Jim Crow law, but in a different way.

Under his new plan he's encouraging Negroes to take advantage of Mayor Farnsley's temporary revocation of the Jim Crow law, so everyone now in Louisville is happy.

Saturday McAlpin filed a petition in Jefferson County Circuit court in behalf of Mrs. Hyburnia Moorman, against the director of parks, chief of police and a director of safety. The attorney said the petition asks for a declaration of rights and an injunction.

McAlpin said Mrs. Moorman is a blonde, blue-eyed Negro, mother of two children, and a typist in the office of the Mammoth Life Insurance company.

McAlpin said the petition asks the court to determine whether police officers, in the absence of an ordinance, have power to enforce by arrest segregation regulations of the director of parks, if such exists where regulations provide no penalty.

The attorney said the court would be asked also to rule on whether or not if the amendment to the segregation regulation removes the reasonableness of the regulation.

McAlpin said the petition also asks the court to determine the regulation is void in that it fails to set up standards to determine who is or is not a white person.



# One Thing About 'Tall Kentuckian': Pennies Certainly Weren't Pinched

BILL LADD'S Almanac

IF YOU are the sort of guy who is always looking down your nose because entertainment has bowed too low to the auditor, then "The Tall Kentuckian" is your dish.

The producers apparently don't know the meaning of the word "budget."

Here is one production which didn't spare the financial horses. Sixteen scenes, rolling on and off in almost constant procession; costumes by the dozens, all bright, beautiful and eye-compelling.

There were actors, actresses, singers, dancers and people just standing around. When a brass band is called for, a brass band is provided. None of this "off-stage-we-can-do-it-by-recording-and-save-some-dough" business.

## Problems Appeared Stupendous

The actual technical problems of getting the various sets aboard at the proper time appeared stupendous.

And you get an added attraction, too. On opening night, the water curtain and the colored lights-in-the-face which mask goings-on while scenes are shifted was used only between the two parts.

The rest of the time, the stage is simply dark. It was fascinating to watch the Speed home roll on and off the stage, with stage hands rushing about with flashlights like so many inebriated fireflies.

Though the huge Colonial home is used at least twice, it displays a different aspect each time. First time, you see it from a sort of cater-corner position, next time it is full-face.

The huge Iroquois Amphitheatre stage is used as a large television studio, too. One scene may be played on far-right stage while the human fireflies are setting the next scene at the left. The President's office is only a small part of the stage, so it may be wheeled away for a full ball-room set. During some stage waits, Bill Pickett sings the narration from the left side while the house-moving goes on to your right.

Yet with all the technical problems, the first performance went off like clockwork. They never got the Speed home on deck when the Yellow Room of the White House was called for. I considered this remarkable. In fact, lost a bet they would get the wrong set out before it was all over.

The cast was wonderfully well-rehearsed for an opening night, too. There was only one real fluff in the lines, where someone got the White House confused with the hospital behind the Southern lines. And who could blame the guy? The White House HAD been there, just a few moments before.

The lighting was very effective. Again production costs were not spared; and where a light was needed, a light was provided.

After many years of seeing corners cut in producing extravaganzas, it was refreshing to see a production which spent the money that was needed, for all the world as if it were the water in the water curtain!

About the music and dancing, your correspondent is not qualified to comment.

Drama Lacking In Spots

So far as the drama was concerned, it was lacking in spots. The whole business was a pageant of episodes more than an integrated play. It seemed to us that it was a delightfully, lavishly staged spectacle. It provided no new facet of Lincoln's character of life, we thought. It seemed that they were about to prove that the Lincoln visit to the Speed home had a lot to do with his later life, but never quite established it. That, it seemed to us, would make a tremendous, full-evening play.

If we had been doing the show, we would have ended on that terrific tableau where the little boy walks up to the dramatic statue of Lincoln as the dark closes in. We would not have drawn a curtain; we would simply have faded into darkness.

And we would have brought the cast out for bows without the music. Quiet solemnity was demanded at this point; and we thought the accompanying music was anticlimactic.

But it's worth seeing. It's a spectacle, and what a lavish spectacle it is!

# City Right To Segregate Races In Parks Upheld

Circuit Judge Stuart E. Lampe upheld yesterday a City of Louisville regulation requiring racial segregation in its parks.

He ordered attorneys to prepare a judgment dismissing a test suit filed by Mrs. Hyburnia Moorman, 424 S. Sixth.

Judge Lampe, said in the opinion that under rulings already made by State and federal appellate courts he was bound to find that the City has the power to decree segregation.

Louisville's park director maintains separate parks for whites and Negroes in accordance with a 1928 ruling of the former Board of Park Commissioners. The regulation does not apply to golf courses. Mingling of races there is required under a Federal Court ruling in another case.

Harry S. McAlpin, attorney for Mrs. Moorman, said he would appeal Judge Lampe's decision.

In hearings before Judge Lampe, McAlpin contended that the regulation was proved to be arbitrary and unreasonable, and therefore invalid, because it was suspended during presentation of the City-sponsored show, "The Tall Kentuckian," at the Iroquois Amphitheatre and then was reinstated after the show.

The City contended Negroes were permitted in the amphitheatre temporarily because City officials wished all persons to see the play, a feature of Louisville's Founding Festival, which would not be presented in any Negro park. The play closed July 5.

Judge Lampe held that previous rulings by superior courts of the State and United States upheld the power of the park director, T. Byrne Morgan, to thus change the regulation.

Judge Lampe also overruled on the basis of decisions from higher courts a contention by McAlpin that the regulation is unenforceable because it is "vague and uncertain."

McAlpin said the regulation contains no sharp definition for determining who is white and who is a member of the colored race. He said Mrs. Moorman, who said she is part Negro and is accepted as a Negro, has fair skin, brown hair, and blue eyes. It would be impossible for City officials to determine her race, McAlpin said.

Louisville, Ky.  
Case Issue Is Discrimination

Judge Lampe pointed out that the State Court of Appeals had upheld refusal of officials to admit to white schools some fair-skinned children who admittedly had Negro blood.

The real complaint is not lack of enforceability or vagueness and uncertainty, the judge said, but that the regulation is allegedly discriminatory. That issue, he held, has been settled in rulings on State and federal test suits filed by Dr. P. O. Sweeney, Louisville Negro dentist, and other cases.



# Appointment To UN Draws Hot Protest

## Here's Byrnes' Record Of Racism, Prejudice

In brief, here's Byrnes' record of racism and prejudice against U. S. Negroes: *Courier P. 1*

As U. S. Representative from 1911-1925, he consistently spoke and voted against anti-lynching bills and appropriations for Howard University. *Pittsburgh Pa*

In 1917, he opposed conscription, fearing mixing of troops. In 1919, he asked the Attorney General to prosecute editors of Crisis and Messenger magazines because they demanded equal rights for Negroes. He further said that "any Negro who does not care to live in this land without political and social equality can depart for any country he wishes because ninety million white people are determined not to extend political and social equality to the ten million Negroes." *Ed. 8-8-53*

As Senator, 1932-43, he opposed minimum wage law. Participated in filibusters against anti-lynching bills. From 1945 through 1947, as Secretary of State, he continued the policy of restricting job opportunities for Negroes in the State Department.

As Governor of South Carolina, since 1951, he maneuvered a plan enabling State Legislature to abolish public schools in case segregation is banned. He also spearheaded Dixiecrats' revolt against Truman and Stevenson because of their advocacy of civil rights.

By A. M. RIVERA JR.

WASHINGTON—The appointment of South Carolina's 74-year-old James F. Byrnes as U. S. delegate to the United Nations has shaken the confidence of the world's colored minorities in the Eisenhower administration.

BYRNES' appointment as the U.S. United Nations delegate is certain to have repercussions at both national and international levels.

A USUALLY reliable White House source said last week that the widespread protest against Byrnes, generally regarded as an enemy of American Negroes' progress, was being "discounted" by the inner circle around the President.

AT NATIONAL levels, this source said, Negroes particularly had little cause for complaint inasmuch as Dr. Archibald J. Carey of Chicago had been appointed as alternate UN delegate

NEW YORK—The White House has been flooded with opposition to the naming of Gov. James F. Byrnes of South Carolina as delegate to the United Nations. The protests, which began with a telegram from Walter White of the NAACP, have come from many organizations and individuals throughout the nation.

Joining the NAACP in making protests are the National Urban League, the Frontiers of America, the United Packinghouse Workers of America (CIO), the Jewish Labor Committee, the Hotel and Restaurant Employees Union (AFL), the Americans for Democratic Action, the Chicago Sun-Times and other groups.

succeeding Mrs. Edith Sampson, also of Chicago, who held a similar post under the Truman Administration.

At international levels, the word around the White House was that Byrnes, whose governmental experience has been unique among contemporary Americans, could do a better

(Turn to editorial pages for editorial on Byrnes).

job in combatting the political and diplomatic maneuvering of the Russians than almost any living U. S. citizen.

What the White House "inner circle" was not aware of apparently, however, was that "hard-hearted Jimmy," like some of the left-wingers much in the news these days, has not always been either hard-hearted or omniscient where the Reds are concerned.

On April 19, 1946, a national weekly magazine quoted Byrnes as saying: "Uncle Joe Satlin is all right—a straight shooter, it's that double-crossing little Molotov, who causes all the trouble, he's trying to cut Uncle Joe's throat." The periodical commented wryly: " seldom has so much error been compressed into so few words."

A COURIER cross-section of

views expressed by some of the nation's leading independent commentators on national politics, appeared inclined to "blame" the Byrnes appointment on the "men around Eisenhower." Former New Hampshire Governor Sherman Adams, now administrative assistant to the President, was regarded by many as the man giving the Chief Executive the "wrong dope" on Byrnes' status in the South today.

According to these sources, Byrnes is a "dead duck" even in the South and his anti-Negro views, loudly heralded in the International Press for the past several years, have done as much to blacken the name of the U. S.'s profession of a Democratic credo as any single force of our day. Out of this view on Byrnes at international levels come several speculations about the President's political motives in appointing Byrnes to a crucial UN post at this time:

(1) "It might be Eisenhower's way of telling the U. S. Supreme Court, which is considering the question of racial segregation in the nation's schools, that he (President Eisenhower) is not opposed to Byrnes' point of view." (Byrnes is an ardent states rightist as well as an arch-apologist for the status quo in discrimination and segregation of Negroes.

(2) In the second place, say friends of the Administration, the Byrnes appointment was "a masterful political move" designed to tie the hands of Byrnes, the "great obstructionist among 'respectable' Southern Governors.

In his new post, in which he will continue full-time duties as Governor of South Carolina, Byrnes will not be able to maintain the respect of the non-white world by continuing to espouse the causes of racial discrimination and prejudice."

THE SO-CALLED political realist among the observers close to the Eisenhower Administration and reporters who have followed the President since he was a candidate last summer, have another view. These commentators say, "Eisenhower has rather consistently rewarded the Democrats a true patriot, he could be expected to support. As a member to the organized Republicans in of the UN, it is believed he will the same state. Byrnes supported

the President and the prestige of his support, which was nullified by the majority South Carolina gave the Democrats as a result of comparatively many Negro voting, has endeared Byrnes, the politician, to Eisenhower, the politician. From this viewpoint, the Byrnes selection is simply reward for services rendered.

A consensus among followers of minority peoples throughout the world as indicated to the Courier through the "shock and dismay" which NAACP head Walter White expressed to Mr. Eisenhower after Byrnes' appointment was announced.

A veteran observer of colored people's affairs in Washington, who knew Byrnes when he was Secretary of State, told this re-

porter, "it would be typical of the South Carolina Governor to show an entirely different face to colored peoples outside the United States than the one he shows to Negroes in the United States and in his native South Carolina." This observer reminded the Courier's representative of Byrnes' celebrated exchange with a high-ranking Russian diplomat at the Paris Conference in August, 1946, who for seeking the vote for the Balkans when Negroes in Byrnes' South Carolina could not vote. Negroes in South Carolina at the time were disfranchised, while their state's chief statesman espoused "free and unfettered elections throughout the world." The ballot was re-extended to South Carolina Negroes only in 1948.

BYRNES' race-baiting record on domestic race matters is a long one and entitled him to be regarded as the world "symbol of racial bigotry and prejudice." At the twilight of his life, when many Southern politicians have given themselves over to "liberal utterances," Byrnes spearheaded a move to get the South Carolina Legislature to make it possible to close the public schools in the event of a U. S. Supreme Court decision outlawing racial segregation in the South's schools. Byrnes, formerly a U. S. Supreme Court Justice, thus acted to defy the ruling of the highest court in the land, which as a true patriot, he could be expected to support. As a member of the UN, it is believed he will swear to defend the principles of

the U. S. Constitution as well as the UN's ideals. Byrnes' attitude, as reflected in his voting record in the U. S. Congress and in subsequent actions as this government's chief diplomatic representative, suggests that he will not hesitate to swear to uphold that which he does not believe in. In view of his life-long record, if he were honest, he would have declined the UN post.



## Are We Invited, Too?

Lena Horne is through feudin', fightin' and fussin' with Caruso's, a restaurant in Chicago.

Two years ago the lovely Lena was refused service at the eatery. The management contended it was the result of "a misunderstanding." Lena said it was racial discrimination and promptly sued under the state laws of Illinois, demanding \$500 damages.

The whole thing was settled last week when the management agreed to publish in the daily papers of Chicago an advertisement inviting Lena to take advantage of the facilities of the place. The ad didn't specify whether Lena would be a guest of the management or if she would have to pay as everyone else is expected to do.

Until now we've had no desire to avail ourselves of the hospitality of Caruso's, but this suit has aroused our curiosity. We're wondering if the widely published invitation to Lena includes us, because we don't want to have to go to court to get the management to extend us an invitation

## Mother Of Korea GI Asks Legal Aid To Halt Gouge Based On Prejudice

CAIRO, Ill. — The widowed mother of a soldier fighting in Korea this week appealed for legal aid to stop what she called money gouging based on race prejudice.

Mrs. Lucille B. Curtis told the Defender that she is trying to regain control of her land which she had farmed out on contract to a white man.

She said the man violated the contract and appeals to law-enforcing agencies had only boomeranged, with her being called to court for trespassing on her own property.

### 22 ACRES

According to Mrs. Curtis, the land was left to her and four sisters and brothers on their mother's death. She gave the man a contract to farm 22 acres.

She said she discovered that he had been collecting funds from hunters and fishermen for use of the property, keeping all the money himself.

Seeking to take control of the land from this man, Mrs. Curtis said she gave him notice to start farming the 22 acres. In return, she said, he had her arrested for trespassing on the land.

The hearing resulted in a hung jury when one member of the panel, a Negro, held out for acquittal of Mrs. Curtis. Then, she said, the contract holder accused her of bribing the jury.

### AWAITS TRIAL

She said she was indicted for bribery but hasn't been called to court on this charge. She said she has paid her lawyer all she has but cannot get any satisfaction.

"I'm going around in circles with no end in sight," she said.

Mrs. Curtis said she gets support only from her son's allotment. She worked hard to educate her son, she said. He was graduated from the University of Illinois in 1951.

"If I can't get help, I'll go to jail and stay rather than be dragged back and forth into court. Jail will be a welcome relief from all the untruths that have been told about me."

ged back and forth into court. Jail will be a welcome relief from all the untruths that have been told about me."

## Ready To Fight Jim-Crow Theatres Next, Mrs. Terrell Says In Chicago

CHICAGO (ANP)—Mrs. Mary Church Terrell, almost 90 years old and still active, the lady who broke the back of jim-crow restaurants in the nation's capital, spent a busy three days in Chicago last week.

While here she remained in a press conference that her next target in her battle to end all racial segregation in Washington, D.C. will be the theaters, both movie and legitimate.

### Honored For Her Fight

Mrs. Terrell was the featured speaker and top honoree at a luncheon in the Crystal Room of the Hotel Sherman downtown sponsored by the Chicago Council of Negro Organizations, Henry W. McGee, president.

The Council honored Mrs. Terrell for her fight to end D.C. restaurant jim-crow and also Mrs. Irene McCoy Gaines of Chicago, national president of the National Association of Colored Women, for her 18 years as a civic and women's leader.

### Going To Work It Out

In talking to newsmen, Mrs. Terrell commented on her coming fight against theater jim-crow, "I'm sick and tired of not being able to see a movie or a stage production in most theaters in Washington because I am colored. Of course we cannot go into the fight at once, but we are going to work it out."

Speaking of her restaurant battle, Mrs. Terrell said colored people themselves won this fight and advised colored citizens everywhere to fight for their rights and not wait for others to take the lead. She said:

Must Help Themselves

"Colored people in the future must do more to help themselves by protesting and working to end discrimination wherever they find it. We sit too still too often to get the rights that are rightfully ours."

Mrs. Terrell said that she is thankful that she has seen two great victories—the one in which she forced the end of racial bias in various chapters of the American Association of University Women and the restaurant segregation in Washington schools.

## Illinois student enters JC suit

URBANA, Ill. (ANP)—Robert A. Johnson, a University of Illinois student, last week brought suit against the operator of a campus barber shop here charging the barber with refusing to cut his hair because he is colored.

The \$500 suit was filed in the Champaign county Circuit Court against Lee Ingwersen, the barber, who Johnson said refused him a haircut, Oct. 24.

### Caroline Barred

The incident brought to light the fact that even J. C. Caroline, the Illinois great football star, cannot get a haircut in a campus barber shop.

The Student-Community Human Relations Council revealed that fact in handbills circulated on the campus, recently. The council also announced through its co-chairman, Harry M. Tiebout, that Johnson's suit was being financed by the council.



# CHICAGO JURY FINES PALMER HOUSE FOR REFUSAL TO SERVE DAUGHTER OF EARL DICKERSON

Panel Composed of Four Women and Two  
Men Decided Noted Hostelry Must Pay \$50

## NEGRO JUDGE ANNOUNCES DECISION

CHICAGO — (ANP) — An all-white jury Friday evening fined the Palmer House, famed downtown hotel, for refusing to serve Miss Diane Dickerson, teen-aged daughter of Atty. Earl B. Dickerson, and her escort, Nelson Brown, last September. *p. 3*

The jury of four women and two men assessed the hotel \$50 and cost each to Miss Dickerson and Brown. The jury's action is the result of a suit filed following an incident on Sept. 13, 1952 when the Empire Roor of the Palmer House refused to honor reservations made for the couple by Mrs. Vivian Brown, young Nelson's mother.

The Palmer House was found guilty of violation of the Illinois civic rights statutes.

Parents of both youngsters hailed the court action as vindicating the right of the young people to visit public places without having to suffer the evils of race prejudice.

Dickerson, who is nationally known as president of the National Lawyers Guild, president of the Chicago Urban League, and numerous other honors, said:

"To me the significant fact in this case was that the hotel was found guilty although it used virtually every subterfuge and dodge available. Numerous hotels and other places are using the old dodge 'no reservation' to keep out colored people.

"This action should stimulate colored people to go out more and seek to break those subtle practices of discrimination. Here in Chicago we can start with places like the Blackstone hotel and the Empire Room in the Conrad Hilton hotel."

Dickerson recalled that his organization, the National Lawyers Guild, discovered the "lost laws" in Washington, D. C., which have now resulted in the end of restaurants refusing to serve darker people in the nation's capital.

Young Brown's father, Sidney

Brown, vice president of the Chicago Board of Education, remarked:

"The amount of judgement is not important. Whether it was \$50 or 50 cents did not matter. It was important, however, to expose the Palmer House and its resorting to the practice of discrimination by saying 'no reservations' when they meant 'no Negroes.' And it is important, too, that a jury of six white Americans saw through the scheme."

A Negro judge, Judge Henry Ferguson announced the decision after the jury had been in session only 25 minutes.

The case went on trial June 18 and was concluded the evening of June 19. The hotel witnesses testified that the youngsters did not have reservations. Included among its witnesses were the head waiter and assistant executive manager.

For the plaintiffs, however, Sidney Brown gave excellent testimony refuting the claims of the hotel. Brown helped prepare briefs for the case, but had to withdraw as an attorney for the plaintiffs because he was to be a key witness.

Dickerson, who acted as counsel, had praised for Brown and for the attorneys in the case. Sidney A. Jones and Jesse B. Mann also were attorneys for Young Miss Dickerson and Brown.

# Mob Beats White Girl, 2 Negroes

CHICAGO — Racial violence, Cicero style, marred the peace of the Chicago lakefront Sunday afternoon when a group of white hoodlums brutally beat two youths and attempted to drown one of them when they saw them in company with a white girl.

The injured youths were identified as Sausten Moran, a chemist, and Timothy Bottoms, a postal worker. *p. 2*

They were treated at a nearby hospital after being questioned at the Park District police station on the Outer Drive.

ELIZABETH ARNOLD, 23, a University of Wisconsin graduate, currently doing social work here, told the Courier that she and the youth were sitting near the Art Institute on the lakefront when a white hoodlum came up from behind and struck Moran. *6-27-53*

She said several more came up and began beating him until he was unconscious. When Bottoms went to his aid, they knocked him senseless also and dragged Moran to the water's edge and threw him in.

One of the gang then jugged her around and smacked her several times she said. A huge crowd gathered and milled around until police came and took her and Bottoms to the station.

MORAN HAD managed to get out of the water and escaped from the crowd. He appeared at the station a few minutes later badly beaten and with his clothes torn to shreds.

Miss Arnold said the investigating officers were courteous, but made no other arrests.

She said the sergeant at the Park District station proceeded to berate her for being in the company of colored youths.



# Old Dixie Hotel Lets Bars Down

LOUISVILLE Ky.—One of the South's oldest, "prestige hotels" the Henry Clay opened its doors to both races during a SALUTE TO JOE RAY testimonial dinner, Friday, Oct. 2. Ray is one of America's outstanding Negro realty brokers, land developers and civic leaders.

The precedent-setting affair was sponsored by the Louisville Association of Real Estate Brokers and a committee of white and Negro bankers, brokers, insurance executives, ministers and educators.

While banker Ray is a lifelong Republican, the testimonial was non-political and the roster of salute speakers crossed party lines. Principal speaker was ex-Mayor Wilson Wyatt, former Federal Housing expediter. Others slated included Sen. John Sherman Cooper (Ky.), the governor of Kentucky, the Mayor of Louisville, and prominent state, county and city officials, according to M. M. Bonner, association president.

A local business man for 25 years, Ray gained national acclaim several years ago as developer of Westover, one of America's few Negro-sponsored subdivisions, consisting of 21 acres, 12 city blocks, 110 lots and 100 FHA insured homes. Westover's worth is estimated at more than \$1,000,000.

## THE SPONSORS

White and Negro sponsors of the salute dinner include: James Hunter, president, Louisville Title and Mortgage co.; C. C. Heatt, pioneer realtor; W. B. Furgerson, president, Portland Federal Savings and Loan assn.; J. E. Hannins, executive vice president, Mammoth Life Insurance co.; W. L. Sanders, president, Domestic Life Insurance co.; Frank Stanley, publisher, Louisville Defender; Samuel Plato, famed builder of government buildings; A. E. Mey-

zeek, Louisville board of education; L. T. Duncan, treasurer, Mammoth Life Insurance co.; Rev. S. F. Anderson, J. H. Humes, attorney and broker; Rev. D. E. King, J. A. C. Lattimore, physician and surgeon; A. S. Wilson, principal, Central high school, and R. Parrish, businessman.

College-trained Ray has held several of the highest appointive posts awarded Negroes in a Southern city. He has been a member of Louisville's three-man Board of Tax Equalization, State life insurance director, buyer and appraiser for the Municipal Housing Commission and the Louisville Board of Education and has served on the local rent control and selective service boards.

ing Commission and the Louisville Board of Education and has served on the local rent control and selective service boards.

# LOUISVILLE THEATRE OWNER BARS NEGROES FROM SEEING MOVIES WITH RELIGIOUS THEMES

Owner Says Long Standing Public Policy Prohibits Showing of "The Robe" And "Martin Luther"

## LATE SHOWING ARRANGED FOR BLACKS

WHITE THEATRES HOLD JIM CROW LINE ... LOUISVILLE (ANP) An amusement company here last week acted in a most unChristian manner when it refused to allow Negroes to see two movies with a religious theme.

The Fourth Avenue Amusement company refused to bow to requests that colored persons be admitted to the Rialto and Brown theatres for the showing of "The Robe" and "Martin Luther."

Don Long, president of the amusement company, said the refusal was in line with a long-standing policy of racial segregation. He added that it was unfortunate, but that he had tried to get the three Negro movie houses to book the films.

The three colored theatres, however, are not equipped with a wide screen necessary for the showing of "The Robe."

On the other hand, Allen Mauritz, owner of the colored theatre, said he plans to bring both films to his theatres if and when he can.

He said that plans already are underway to book "Martin Luther" and a contract has been signed to equip one of his houses with the wide, Cinnemascope screen.

Most of the people requesting to see the films at the Rialto and Brown theatres expressed disappointment at not being allowed to do so. Among them were:

Charles Johnson, Liberian student at Louisville Presbyterian Theological seminary; a Negro major in the Army chaplain corps, stationed at Ft. Knox, and The College of the Scriptures, non-denominational seminary, predominantly colored.

# Appeal Challenges Decision Upholding Parks Segregation

An appeal was filed in the State Court of Appeals yesterday, challenging a Jefferson Circuit Court ruling upholding racial segregation in Louisville parks and playgrounds.

The Circuit Court ruling was made by Judge Stuart E. Lampe in a suit filed by Mrs. Guburnia Moorman, 424 S. Sixth. The injunction suit was sought after a regulation barring Negroes from using white parks was suspended to permit them to attend "The Tall Kentuckian" in Iroquois Amphitheatre.

Judge Lampe ruled that the City's power to decree segregation had been upheld in previous rulings in State and United States courts and the temporary change did not offset the power.





## It Happened Last Night

Lillian ('Water Wagon') Roth  
Returns to the Big Time

By Earl Wilson

DIXON'S IN BAD WITH A FEW  
BUBBERS in Wash'n for printing that some  
delinquent in dues. It can be told now that Franklin  
Roosevelt was \$7.50 in arrears once, too.

But a secretary, just about to post his name, was stopped  
in the nick of time. A hurry call to FDR's secretary put him back  
in good standing.

### The Midnight Earl . . .

La Vie en Rose opens Nov. 1, and closes for good on that site  
next June, when Gilmore's Steak House moves in. Joe Louis  
refused to work in New Orleans because the  
audience was segregated, but agreed when  
promised equal seating.



TODAY'S BRAVO: Tony Bennett at Ben  
Maksik's Town & Country Club.

WISH I'D SAID THAT: "It doesn't  
take long for a woman to catch a beau—  
it only takes a wife"—Winnie Garrett.

TODAY'S BEST LAUGH: A Broadway  
character boasts he'll soon be rich—he  
saved all the Kinsey jokes from the last  
book that came out.

B'way Buzz: That the Jelke appeal will  
be decided in his favor, with Mick getting  
out on bail . . . Arturo Toscanini may do a  
TV simulcast of his symphony programs  
this fall.

### GARRETT

"A FREE-LOADER," FIGURES Teddy Rodriguez, "is a guy  
who'll never turn down an invitation—even when he doesn't get  
one" . . . That's earl, brother.

## Spurn Negroes In Louisiana

NEW ORLEANS — When the  
United States purchased Louisi-  
ana, they must have purchased  
it without knowledge that Negroes  
lived in the territory.

At least, as far as the Louisiana  
Purchase celebration is concern-  
ed, no mention of Negroes has  
been made during the exhibition  
being held this week at Pelican  
Stadium.

An on-the-scene survey of the  
Louisiana Purchase exhibition es-  
tablishes the fact that while every  
group has been given mention in

the festivities, not one Negro  
group was invited to participate.  
The pictures of their grandchil-

Representatives from the newly  
organized Elizabeth P. Farrington  
Republican club were the presi-  
dent, Mrs. Willie M. Jahan; the  
first vice president, Mrs. Blanche  
Taylor; the secretary, Mrs. Ida  
L. Rollins; and the membership  
chairman, Mrs. Agnes Ball.

At the close of the luncheon,  
Mrs. Eisenhower was presented  
with two gifts, one for her hus-  
band's birthday and a twin gift  
for herself. The presents were sil-  
ver picture frames to be used for  
the pictures of their grandchil-  
dren.

## What 'Ike' Saw in New Orleans!



'Ike' Sees 'Mammies'—When President Eisen-  
hower spoke in New  
Orleans recently, during the re-enactment of the Louisiana  
Purchase, he gazed down upon this group of whites, with  
faces blackened in minstrel style and dressed a la "Aunt  
Jemima." The "mammies" sat just below the rostrum in  
Jackson Square from where the President spoke. Note the  
"white babies" in their "mammies" arms. No Negroes  
were invited to participate in the ceremonies, although  
they played key roles in the purchase of the Louisiana  
territories.—Chatman Photo.

Negroes attended and appeared  
on the program without any inci-  
dent was against the state law.  
That's a lot of poppycock, and  
was probably one of the only ex-  
cuses that could be thought of at  
the moment.

The two men entered the hotel  
at 10:30 and went up on the ele-  
vator to the second floor. They  
were met by Commissioner Ber-  
nard J. McCloskey, chairman of  
the Governor's safety commission,  
and went to the desk to register.  
When the secretary balked on the  
basis of not knowing whether the  
hotel management approved, the  
men produced their legitimate in-  
vitations.

The secretary asked the two  
men to get a clearance from the  
hotel management. However,  
Commissioner McCloskey insisted  
that the secretary do it himself.

While the secretary, a hotel of-  
ficial, and a conference chair-  
man, had a five minutes con-  
ference on the issue, the Rev.  
Mr. Davis and Mr. Acox sat in  
the registrar's office booth await-  
ing the decision. Finally, the  
hotel official came in and looked  
at the invitations and said that he  
did not want to embarrass the  
secretary or members of the con-  
ference and that they could not  
attend because of the state law.  
When the men departed, the  
elevator operator refused to take  
them down to the main floor, stat-  
ing: "I caught the devil for bring-  
ing you all up." They left by the  
stairway.

A secretary from Shreveport  
offered to meet with a group of  
interested Negroes to discuss what

## Hotel Official Says State 'Law' Prohibits Negroes, Whites Meeting Together

Shameful evidences of out-  
moded policies in historical New  
Orleans sprang anew Tuesday  
morning when two prominent po-  
litical and religious Negro lead-  
ers with bonafide invitations were  
refused admittance during the  
second day meeting of the joint  
session of the Governor's Highway  
Safety Conference and the  
Louisiana Safety Association at  
the Pelican hotel.

In a dramatic-packed 25 min-  
utes of trying to register to at-

tend the conference, Rev. A. L.  
Davis, president of the interde-  
nominational ministerial alliance  
and chairman of the Negro traf-  
fic safety committee of New Or-  
leans, and Jackson Acox, secre-  
tary of the Orleans Parish Pro-  
gressive Voters League, were de-  
nied permission to attend, be-  
cause, as one of the hotel officials  
put it, "The state law prohibits  
Negroes and whites from meeting  
together."

"If this were true," one of the  
men said, "then the recently held  
TB association conference which  
was held at the Jung hotel where



had transpired at the meeting. Both declined such a meeting. The Rev. Davis said, "If the real safety program is not as much a part of the Negro as the white, then something's amiss because there is an alarmingly increase of Negro and white fatalities in wrecks where there is no discrimination. If the problem is to be met, then we all must share fully in the discussions toward bringing safer conditions to all citizens."

Mr. Acox said, "To educate one segment of the citizens for safety only redoubles the highways open to the public because we all run the same risks."

Again, like in the case of the committee to study the school finance situation, the more than 249,000 Negro citizens here were without representation.

Two weeks ago the Louisiana Weekly carried an editorial, "Where do we figure in safety program?" The editorial pointed out that it was a foregone conclusion that Negroes would not be able to attend since the conference was being held at the lily-white Roosevelt hotel. The conference asked that all citizens attend in order to make the state a safer one to live in, are the Negroes not considered as citizens in the state of Louisiana?



## New Orleans Paper Breaks Dixie 'Rule'

NEW ORLEANS—Breaking Southern precedent, the New Orleans Times-Picayune, oldest and most conservative of Dixie newspapers, last week published pictures of Negroes along with white comings and the gross injustices in their column and has recently which Negro pupils in the city printed news without mention of schools of New Orleans are subjected because of their color and race, came to light this week. It was learned through reliable sources that while white children were given the opportunity to be auditioned for a local scholarship in the auditorium of the Rabouin school, a lone Negro pupil applicant was given the "brush-off" and was taken off into a private room of the administration building of the Orleans Parish School Board where he was given a "special audition and judged."

This humiliated and embarrassed youngster who was eager for a chance to enter this kind of friendly competition because his school had sent a bulletin announcing this extra curricular activity, was not even extended the courtesy of permitting other students to hear him sing.

The informant stated that a bulletin was dispatched to most of the schools in the city stating that an acapella scholarship audition would be held for pupils between the ages of nine and 14 and that Mrs. Alma Peters, supervisor of music in the city schools, had the application forms.

When a call was made for an application for the pupil in question, the informant reported that Mrs. Peters said she did not have

one at the moment, but that the pupil could obtain one when he came for the audition at the Rabouin school.

The boy, whose name is withheld, was brought into the auditorium and the person who was in charge appeared to have been "puzzled" but never said anything. He told the boy to stand on the stage while he went out of the auditorium. After several minutes he returned and said "We'll go over to the office of Mr. Eley."

It was obvious then that something was brewing because those in charge appeared to have been "upset."

Mrs. Peters said that there was no piano in the administration building but there was a portable organ in one of the rooms. This

is where the pupil was given "his audition." The child had never before been accompanied on such an instrument.

While he sang to the organ accompaniment persons in the next office pounded their fists against the wall wanting to know what was going on.

When he had finished, the person in charge looked at the eager child and merely stated that he would recommend that he take piano lessons to improve his voice. Further that he knew of a Negro acapella choir somewhere in Pennsylvania and would write the director of the choir or would help him to get into Tuskegee Institute.

Maybe the child was conscious of his second-class status and knew why he was not given the opportunity to enter competition with the other pupils or maybe he was not, but whether he knew or not, he should not have been subjected to being embarrassed and humiliated by the Jim Crow practices imposed on him by his superiors.

## Rocks Fail To Frighten LSU Couple

BATON ROUGE La. — An unknown hoodlum here threw rocks through two windows of the campus home of Mr. and Mrs. Lonal James, Louisiana State university's first Negro students, in an attempt to discourage them from remaining at the institution. The couple is registered in the graduate school of music.

The Southern Patroit, organ of the Southern Conference Educational Fund, has denounced the incident and praised the attitude of the LSU faculty and student body. Among other things, the paper said:

"The university expressed regret

but took solace in that of its students only one saw fit to do such a thing.

"There was some frightened suggestion that the James should move out of the hutment area which is provided for married students. But they would have none of it; nor would members of the faculty and student body who on the whole were deeply ashamed by the incident.

Lionel James is an Army veteran. Mrs. James formerly served on the staff of SCEF.

## Color Bar Off At Graduation

NEW ORLEANS, La. — Two records were broken here June 4 at annual graduation exercises held at Joseph A. Clark high school. Diplomas were awarded to 371, largest number to graduate from any Louisiana high school at one time in history.

Because of the size of the class, the graduation exercises were held in Municipal auditorium, heretofore denied to Negroes.

The students themselves petitioned the Orleans Parish school board to secure the auditorium for their graduation.



# Nobody Agrees On Naming Race In News Stories In Open Forum Discussion Here

New Orleans (ANP).—During a panel discussion held here last week, it was generally agreed that prejudice is harbored by everyone, but there was no agreement at designation of race in news stories.

Sponsoring the discussion were the New Orleans Council of Parent-Teachers Associations, the Council of Catholic School Co-operative Clubs, the Presidents Co-operative School Club, the B'nai B'rith Ida Weis Friend chapter and the Family Service Society.

Dr. Carl P. Adatto, psychiatric consultant for the juvenile court, observed that much prejudice comes from a distortion of some one difference, such as skin color in others, and that people become more tolerant when they see more of the world about them.

The panel waxed hot over the question of whether or not "it would help" to leave race designation out of news stories.

George W. Healy, Jr., editor of the Times-Picayune and panel moderator, replied, "No, it wouldn't."

Maj. Wm. J. McNamara, supervisor of operations and training for the New Orleans police department, said:

"It's an important piece of information for the police force—a vital piece of information."

The Rev. Louis J. Twomey, S.J., director of the institute of industrial relations, Loyola university, felt that race should be mentioned only when it is meaningful to the story.

The Times-Picayune, since Healy, a Mississippian, has been editor, has embarked on a far more liberal plane than in the past. Under Healy's editorship orders have gone out that pictures of prominent Negroes will appear in the publication whether visiting here or residing.

Already there have appeared in the paper pictures of Dr. Theodore K. Lawless, dermatologist; Gabriel

L. Dennis, Liberian secretary of state; Dr. Joseph A. Hardin, Liberian counsel, and in the magazine section a story concerning James A. Holtry, who rose from shoeshine boy to head the Good

## Our Leaders - Voice Of The People

LAST week, the Second Annual Leadership Conference, a jointly sponsored effort of the Louisiana Education Association and the Prince Hall Masons, was held at Southern University.

This confab, which was attended by more than 300 representatives—leaders in agriculture, business, religion, fraternal groups, and community organizations, spent five days studying the implications for their communities of constitutional law, state and local government, economics, and political processes.

The bringing together of the Negro leaders by these groups as Dr. Marshall Shepard, Recorder of Deeds, Philadelphia, brought out in his keynote address, is highly commendable.

It is only through these meetings and the discussions of common objectives that we can fulfill our rightful duties as citizens of this great state. And it is only through our leaders, that the voice of the people is heard.

"A leader, as Dr. Felton G. Clark, president of Southern University brought out in the welcome address, 'is a person of influence over a group who says to that group, what do you want?'"

It is reasonable to assume, that because of the lack of meetings by our leaders, we are being slighted by our local and state governments and are being made to have a feeling of "not belonging."

However, if our Negro leaders throughout the state, would come together more

often—and knowing that they represent so large and important a segment of the population—they would be in the position to follow up those "promises" that were made by the founding fathers.

Pointed out in a recent editorial entitled, "A Heart to Heart Talk Necessary," appearing in this paper, was the fact that under the Long administration, Dr. Rivers Frederick, the renowned surgeon, served on the State Civilian Defense Board and Dr. Albert Dent, president of Dillard University, served on the Advisory Council of the Division of Employment Security. Since the Kennon administration, neither has been asked to serve in the same capacity.

More recently, the minority group labor post once held by Dr. George Snowden is still vacant.

Could it be that we are being ignored? Assuming that we are not being ignored, the local and state governments, through the efforts of groups like LEA headed by J. K. Haynes and the Prince Hall Masons, John E. Lewis, Grand Master, can be told what the citizenry expects of it.

## Fight rages over South's JC coke vending machines

NEW ORLEANS (ANP) —The battle of Jim Crow Coca-Cola vending machines, seen in some southern cities, continued to wax hot last week. The Southern Patriot, which first uncovered the practice, denied that its story misrepresented the facts.

The Patriot, published by the Southern Conference Education Board, Inc. (SCEF), in an earlier issue printed a picture of a Coca-Cola machine with two spigots—one for colored and another for white.

Several publications picked up the story and news of it reached as far away as India. In commenting on the facts, the Patriot said in part:

"There was no misrepresentation of the facts of the case in the Patriot. Indeed, after running the story, we printed a second story in February to correct a misunderstanding a reader had expressed.

**Company Challenged**  
"It does not befit a company as rich and powerful as Coca-Cola to quibble over an admittedly unfortunate occurrence

that could easily be thrust into the forgotten past by positive action on its part."

The Patriot then questioned the employment policy of Coca-Cola as it applies to colored persons. It raised the question: "Is there or isn't there a color line in the cola line?"

"A bold demonstration that racial discrimination did not limit the opportunity for colored employees at Coca-Cola would answer this question to the satisfaction of men of good will from here to New Delhi.



## GOVERNOR HURLS CHALLENGE:

## Baltimore urged to end discrimination

38a BALTIMORE Governor McKeldin last week declared that prejudice in jobs, housing, schools and hotels is harmful and charged that the majority group "has the chief responsibility to correct the evil. The state's chief executive also blasted social prejudice.

Mr. McKeldin made his challenging statement before 1,000 persons attending the 25th anniversary dinner of the National Conference of Americans and Jews on Wednesday night at the Emerson Hotel.

The governor was honored by the conference for speaking and acting "in the spirit of brotherhood" and presented with a citation.

"I make no claim for Jews, Catholics or Quakers, or Negroes, Mexicans or Italians, or any other minority that they are more holy or more righteous," Mr. McKeldin said.

## Majority Has Power

"But," he continued, "it is undeniably true that the majority group has the greater power, the higher prestige, and it is the majority which sets up the barriers excluding the members of the minority from employment opportunities, from residential areas, hotels, fraternalities and colleges.

"The majority, therefore, has the chief responsibility to correct the evil. Many of these discriminations are social, but social prejudice is harmful too and its implications are often important economically and otherwise."

Stating that good-will rallies gave those attending them a "righteous sensation," the governor pointed out that this faith must be accompanied by works. He then proceeded to draw a picture for his listening audience.

"Does," he asked, "a busi-

nessman or industrialist return to his office after such a meeting as this and say:

"I have been discriminating against certain people in respect to employment in my factory, or store, or bank, or utility. I have been unjust and narrow."

"Or perhaps, my personnel man has been guilty and I have tolerated it. I shall change this policy. Religion and race should not determine priority in the field of business; it must depend on character and capability?"

## Cites College Official

Continuing, Mr. McKeldin asked, "Does a college official, after a moving good-will program resolve:

"A boy or girl will henceforth be admitted in my institution, without regard to quota or other false formulas based on religion or race, but on personal merit and scholarship only?"

"Do we," the governor continued, "on dress occasions such as this commit ourselves to good-will yet go home and make disparaging remarks against other racial or religious groups?"

If such is the case, Mr. McKeldin said children overhearing such remarks would also follow such an example.

## Bigotry Transmitted

"Children are not born bigots," Mr. McKeldin pointed out. "Bigotry is transmitted to them by their elders."

He observed that the good-will movement has made progress in certain limited circles but charged that "we have not advanced very far at the mass level."

"If we are to be effective, we must raise our sights and enlarge our aims."

"A languid concurrence is not enough."

"We must not be content to write pretty essays for the edifi-

cation of the few or utter speeches to delight the ears of those who are already converted.

"Greater numbers must be reached through an intensified program, utilizing every modern medium of mass communication," the governor said.

## No Single Bound

Mr. McKeldin concluded by stating that he was not "so naive as to think that heaven can be reached in a single bound."

"But surely more can be achieved if more is attempted," he stated.

Dr. Everett R. Clinchy, national president, of the conference, presented Mr. McKeldin with the citation.

"You above all other citizens of the state, have said words of brotherhood and acted in the spirit of brotherhood," he said.

## Comment On Speech

Dr. Martin D. Jenkins, president of Morgan State college, in commenting on the governor's speech, called it a "forthright statement."

"The governor is to be commended," Dr. Jenkins stated.

Furman L. Templeton, Baltimore Urban League executive secretary, also had praise for Mr. McKeldin's address.

"Governor McKeldin made an outstandingly courageous and forthright statement in pointing to the reaction which should prompt an employer or an educator after leaving that meeting," he observed.

"He was outlining a truly democratic policy for them to follow when he pointed out to an employer that he could hardly leave that meeting without going back and re-examining his personnel policies to make certain that no minority group was being discriminated against."

"He was outlining a fair employment practice," Mr. Templeton continued, "and likewise in reminding educators that they must re-examine their admission policy to make certain that no minority group student is discriminated against, he was pointing out the true tenets of education in a democratic country."

## MILITANT BALTIMORE WOMAN AGAIN NAMED TO HEAD ONE OF NAACP'S LARGEST BRANCHES

## Tireless and Dynamic Lillie M. Jackson Maintained Successful Theatre Picket Line IS MEMBER OF NATIONAL BOARD OF DIRECTORS

BALTIMORE.—Mrs. Lillie M. Jackson this week began serving her 18th year as president of the Baltimore branch of the National Association for the Advancement of Colored People which under her leadership has become one of the nation's three largest local units.

Unanimously reelected to the position at the branch's annual meeting on December 1, Mrs. Jackson reported that the Baltimore branch had a membership of 3,570 and had raised \$20,000 during the membership drive. She said that the branch will attain a membership of 7,000 or more by the end of 1953.

Tireless and dynamic, Mrs. Jackson has not only given leadership to the Baltimore branch, but also organized the Maryland State Conference of NAACP Branches in 1942 with local units in 22 counties. Moreover, she has been a member of the board of directors of the national NAACP since 1948.

During the period of her leadership, the Baltimore branch has sent to the national office more than \$119,000 to help carry on the national program. For six years the branch maintained a picket line in front of the Ford theatre until, in January, 1952, the theatre abolished its policy of racial segregation. The branch also sponsored legal cases and other actions to break down racial discrimination and segregation in education, recreation and other fields.

In New York, Walter White, NAACP executive secretary, hailed the reelection of Mrs. Jackson as a "well deserved honor and an expression of the appreciation of the people of Baltimore for the consistent and valiant leadership

she has given to the branch. "Mrs. Jackson," he said, "is one of the most effective and dependable branch presidents in the Association."

Also reelected unanimously were the following: Mrs. Augusta T. Chissell, Mrs. Sarah F. Diggs, Rev. A. J. Payne, Rev. J. R. Butler, Rev. H. O. Graham, Rev. Kelly L. Jackson and Rev. John L. Tilley, vice presidents; Mrs. Mary E. Hawkins, secretary; Dr. Charles E. Watts, treasurer, and Dr. W. O. Bryson, auditor. Henry U. Ayers was elected vice president of the board to take the place of the late Mrs. Mamie Griffin.



# Segregation Issue in Sale Of Sandy Point

By a Post Reporter

ANNAPOLIS, March 10.—The question of racial segregation at Sandy Point Park became a main issue at a public hearing today on a bill calling for sale of the State-owned and operated bathing beach and recreation area.

Four State Senators have proposed legislation calling for sale of the 700-acre resort in the shadow of the new Chesapeake Bay Bridge. It has been operating less than a year.

About 75 Anne Arundel County residents appeared at a Senate Finance Committee hearing to oppose the projected sale. Speaker after speaker assured committee members that segregate—or integration—was not a problem.

"The Negroes prefer to be by themselves," Mrs. Paul E. Furhman, of Arnold, declared and she was supported by most other speakers.

Lone supporter of selling the park, Edgar Kalb, of Mayo, Md., a bathing beach operator, touched off the arguments by alluding to a pending suit brought by the National Association for the Advancement of Colored People which attacks segregation now practiced at Sandy Point.

Predicting a future of integration for the public bathing beach, Kalb agreed that most Negroes prefer not to mix with whites, "but enough will show up to destroy the beach and future state appropriations would be wasted."

Several speakers pleaded for continuation of the project because "it is free of beer and slot machines." Mrs. Ford Brown, who writes mystery stories under the name of Leslie Ford, testified the property, acquired for \$160,000, was "a gift from God."

ROGER B. FARQUHAR.

## MARYLAND BEACH JIMCROW BANNED BY FEDERAL COURT

In Federal Court

BALTIMORE, June 4 — The Maryland State Commission of Forests and Parks has been ordered by the United District Court for the District of Maryland to cease its discriminatory practices against Negroes at the Sandy Point Beach and Park, a state recreation area on the outskirts of Baltimore.

The decision was rendered this week by Federal Judge W. Calvin Chesnut in a suit brought against the Maryland State Commission by the Baltimore branch of the National Association for the Advancement of Colored People. On behalf of eight Negroes who had been refused admission to well-equipped South Beach. They had been turned away from the well-kept beach and directed to nearby East Beach, a virtually unusable area reserved exclusively for the use of Negroes.

The suit was filed with the District Court in July, 1952, by Milton Lonesome, Marion J. Downs, Karleen Downs, Alvin Graham, Beatrice Martin, Bowen Jackson, Christine Jackson and Lilly Mae Jackson, all of Baltimore.

They charged that they were refused admittance to South Beach solely because of their race, and that it was a violation of the U. S. Constitution to discriminate because of race or color in state operated facilities.

The State Commission argued that the two beaches were equal, but that whatever inequalities there were would be corrected.

In rendering the decision, Judge Chesnut directed the State Commission to cease discriminating against Negro bathers. However, he said that the Commission could either open the facilities to everybody or close them to everybody, but there must be no further discrimination.

NAACP lawyers who argued the case for the eight Negro bathers were Jack Greenberg, NAACP Legal Defense assistant counsel of New York, Linwood Koger and Tucker Dearing, both of Baltimore.

## Judge Issues Preliminary Ban On Sandy Point Segregation

BALTIMORE, June 4 (AP). — A Federal judge today issued a preliminary injunction forbidding the State of Maryland to permit racial discrimination at its bathing beaches at Sandy Point State Park.

District Judge W. Calvin Chesnut noted the State had failed to complete scheduled improvements of the beach section set aside for Negroes and commented:

"If the State of Maryland is going to the extent of providing bathing recreation facilities, there cannot constitutionally be any discrimination between them."

The judge said unless the State takes remedial action he will make the injunction permanent. It was indicated that the State must now decide whether to close the beaches, allow whites and Negroes to use all facilities on alternate days, or end discrimination altogether.

## Secret Jury Room Race-Baiting Exposed

BALTIMORE — Race-baiting in the jury room was exposed by attorneys seeking a new trial last week for Mrs. Ellen Williams, 34, social worker convicted of disturbing the peace and assaulting an officer.

Backing up their plea before the Supreme Bench, her attorneys, Mrs. Judith J. Mitchell and J. Leon Williams of Washington presented an affidavit from one of the jurors who said that other members of the jury called him a "n—r lover," because he was sympathetic to her cause.

However, the Supreme Bench granted Mrs. Williams a new trial on the disturbing the peace charge, but denied a new trial of the police assault case. Her attorneys have indicated that they will appeal the verdict to the Maryland Court of Appeals.

The attorneys contended that Mrs. Williams was thus deprived of due process of law as guaranteed in the 14th Amendment of the U. S. Constitution and Article 21 of the Maryland State Constitution because her conviction was based upon racial prejudice rather than the facts in the case.

The affidavit revealing this situation was signed by Carl J. Muth, a member of the jury which convicted Mrs. Williams on May 31 in a case which grew out of a Christmas Day taxicab incident at the Pennsylvania Railroad station.

Mr. Muth's affidavit said: "This was an all white jury. From the beginning of the dis-

cussion in the jury room, it was the race of the defendant, not the facts, which were weighed by the majority of the jurors. "They freely discussed the race of this girl and said that where colored people are concerned, the police have got to be right."

"Bandied back and forth between the jurors were the statements that these colored people are smart alecs, especially the educated ones; that they overassert their rights; that we must teach them a lesson."

### Hammered At Us

"Four of the jurors, including myself, were for complete acquittal at the first of the discussion. A fifth juror was undecided. "The other jurors kept hammering at us."

"One of the jurywomen exclaimed to me: You're taking that colored girl's word against the police. You must be in trouble with the police!"

"I told her I had never been in trouble with the police, that I have many friends who are police officers, but I felt that this girl was innocent."

"The last half hour, I held out alone. I finally threw in the towel when some of the jurors accused me of being a n—r lover."

Mr. Muth said that after the conviction, his conscience bothered him, so he revealed the situation to Mrs. Williams' attorneys.

### Other Jurors

Other members of the jury were: Gilbert F. Nichols, telephone

inneman installer, 400 block S. Bentalou st.; Mrs. Mary V. Kiel, housewife, 1500 block Stone-wood rd.; Solomon Greenberg, retired salesman, 700 block W. North ave.;

John S. Dempster Jr., salesman, 5900 block Alemeda; Arthur J. Noon sr., former insurance man, 3600 block Frankford ave.; Miss Annie E. Short, department store supervisor, 3600 block Gelston dr.;

James E. Sauer, office manager, 1300 block Walters ave., Marvin M. Hall, credit company manager, 500 block Chapelgate In.; John J. Landon, gas fitter, 1st block N. Ellamont ave.;

John P. Frank, salesman, 5300 block Captalpa rd.; and Gilbert S. Taylor, clerk, 6100 block Ridg view ave.

### Impartiality Guaranteed

Mrs. Mitchell pointed out that the Maryland Constitution guarantees to every citizen "a speedy trial by an impartial jury."

Since this was not the case in the Williams trial, she argued, the improper conduct in the jury room would justify a setting aside of the verdict and a new trial for Mrs. Williams.

She quoted a legal authority as saying: "Misbehaviour of a jury consists of some disobedience to an order of the court, some improper, dishonest or corrupt conduct affecting the verdict, or the like," as justification for a new trial.

Further, the authority pointed out, "Each case must be governed by its own special facts and circumstances, and no precise rule can be laid down, fixing what is and what is not such misconduct as well as justifying the court in setting aside the verdict."

### Due Process Denied

Mr. Williams contended that the U. S. Constitution provides that no state can deny any citizen due process of law or equal protection of the law.

In this case, he maintained, while the form of the law was met, the substance of the law as not complied with inasmuch as the jury did not try the case impartially. This, he maintained, was a violation of "due process."

The attorneys also raised two other points.

One was that Mrs. Williams was indicted improperly for dis-



turbing the peace, inasmuch as the area where the incident occurred is not a public highway, nor a residential neighborhood, but private railroad property.

#### Arrest Called Illegal

The other was that the arrest of Mrs. Williams was illegal because she committed no misdemeanor in the presence of the arresting officers.

Mrs. Williams and a friend, Mrs. Virginia Jones, 39, were arrested on Christmas Day following a dispute with a cab driver when they arrived from Washington where both are employed as government workers.

They had come to Baltimore to spend the holiday with their families.

The case against Mrs. Jones was tried by Judge James K. Cullen sitting without a jury. He has not yet pronounced a verdict.

# Park Board refuses to change policy on outdoor pool

## Meets in executive session to re-affirm previous stand; Rev. Waters not present

BALTIMORE — The Park Board has refused to consider a proposal to eliminate segregation in outdoor swimming pools, after meeting in executive session, Saturday.

Linwood Koger Jr., NAACP attorney, had written the municipal board requesting it to lift the color ban in view of the unequal facilities afforded colored citizens.

The City of Baltimore maintains seven outdoor swimming pools for white persons and just one outdoor pool for colored citizens — located in Druid Hill Park.

Members of the Park Board include James C. Anderson, president; S. Lawrence Hammerman, James H. Gorges, Mrs. William J. Rysanek Sr., George G. Shriver, Gerald S. Wise, and the lone colored member, the Rev. Wilbur H. Waters.

According to Joseph J. King, executive secretary, six of the board members were present when the swimming pool issue was discussed and they unanimously agreed not to change our policy at this time.

Rev. Mr. Waters was not present at the time the vote was taken, having left the meeting to keep a prior appointment.

Rev. Waters expressed shocked surprise when the AFRO informed him of the Board's "unanimous" agreement concerning the swimming pool issue.

"Why the swimming pools issue wasn't even on the agenda," declared the popular minister.

"I had read stories in the AFRO relating to the outdoor swimming pools and also saw a notice in the newspaper that the matter would be discussed at Saturday's meeting.

"When I reached the meeting, the primary topic of discussion seemed to be the electric scoreboard at the Stadium.

#### Not On Agenda

"I distinctly remember looking for the swimming pool issue on the agenda but it was not scheduled.

"To guard against any slip-up, I personally contacted Mr. Anderson, board president, and he assured me he would let me know when the swimming pool topic was due for discussion," asserted the Rev. Mr. Waters.

Mr. King, who supervises administrative matters relating to the Park Board, confirms the fact that the Rev. Mr. Waters left the meeting before the swimming pool issue came up for discussion.

When asked why the swimming pool issue wasn't on the agenda, Mr. King declared:

"Mr. Anderson brought it up in executive session; any board member has that privilege and it doesn't have to be on the agenda."

Meanwhile Attorneys Koger and Tucker Dearing are presently drawing up a bill of complaint preparatory to filing suit in U. S. District Court requesting that an injunction be granted denying use of the swimming pools until equal facilities are obtained.

# File lawsuit to open city swimming pools

## NAACP lawyers go to Federal Court after Park Board refusal

BALTIMORE — In a last-ditch effort to crack segregation bars at local outdoor swimming pools, NAACP lawyers filed suit in U. S. District Court, Thursday morning.

The City of Baltimore maintains six outdoor swimming pools for white persons, but only one for its colored citizens.

The lawsuit, a request for permanent injunction and declaratory judgment, is against the Mayor and City Council of Baltimore, members of the Park Board, R. Brooke Maxwell, director of parks, and Charles Hook, superintendent of parks.

According to Linwood Koger Jr., NAACP lawyer who filed the suit, U. S. deputy marshals expected to serve the defendants with copies of the suit, Thursday.

The defendants have 20 days to file an answer to the bill of complaint. Unless the answer contains pertinent evidence contrary to factors stated in the bill of complaint, however, a federal judge will rule on the case after a public hearing.

#### Vital Factors Stated

According to the bill of complaint, the case is within the jurisdiction of the U. S. District Court because:

"... This being an action authorized by law to redress the deprivation under color of a state's law, statute, regulation, custom and usage of rights, privileges and immunities secured by the Constitution and laws of the United States which provide for equal rights of citizens and of all persons within the jurisdiction of the United States.

"Whether the policy custom, usage and practice of defendants in denying because of race to colored plaintiffs and their class, rights, and privileges of using, without being ra-

cially segregated, all swimming facilities at Druid Hill Park, Roosevelt Pool, Clifton Park, Patterson Park, Riverside Park, Gwynns Falls Park, and Carroll Park in the City of Baltimore, which are offered by said City for use by its citizens, violates the 14th Amendment to the Constitution of the United States?

"Whether the public swimming pool facilities offered colored plaintiffs and their class by Baltimore City are equal to those offered white persons similarly situated.

#### Deprivation Of Rights

"Whether the denial of the opportunity to swim together deprives plaintiffs of rights guaranteed by the 14th Amendment... when the City of Baltimore offers this opportunity to members of an all-colored or all-white groups but not to members of mixed groups which plaintiffs in this case are.

"Whether the denial of the swimming facilities to the plaintiffs, a mixed group... because they are a mixed group... abridged their privileges and immunities as citizens of the United States where such denial deprived them of the association of their friends solely because of the race and color of their associates."

# Gov. Sees End To Segregation In Maryland

BALTIMORE, Md. — Addressing an interracial Methodist preachers' meeting at Sharp St. Methodist Church here last Monday, Governor Theodore R. McKeldin of Maryland promised a "new day of freedom" for the people of America and the world.

"God seems slow in coming, but He never comes late," the governor said, as he predicted that the

walls of segregation in the State turned down the request of a civic group to present Marian Anderson in recital at the Lyric because the management feared "unfavorable reactions" if Negroes were seated to open its doors indiscriminately in the theatre. The governor, who is a well-known churchman, told of his recent trip to the Holy Land. The Rev. Farnk J. Frye presided at the meeting.

(The local press reported recently that the Lyric Theatre had



## Cafe Is Fined In Bias Deal

BOSTON—A complaint brought by Louis W. Wright of 4 Fairweather St., Roxbury, alleging a cafe in Boston's theatrical district illegally refused to serve him because of his color was successfully conciliated this week by the State Commission Against Discrimination.

The complaint was handled before the state agency by Attorney Herbert E. Tucker, Jr., counsel for the Boston Chapter, National Association for the Advancement of Colored People.

In settling the case, it was agreed by the parties that the cafe pay \$50 damages. Wright and would specify that there would be no acts of discrimination in the future because of a prospective patron's race, color or religious creed.

Commissioner Elwood S. McKenney, who presided at the conciliation conferences before the C. A. D., added, "In the event there is another complaint filed against the respondent and a finding is made against it, a definite recommendation will be made to the Boston Licensing Board for suspension of defendant's license."

The complaint was brought under the state law which prohibits places of public accommodation to discriminate against anyone solely because of his race, creed or color.

Wright alleged he and his wife were refused service in the main dining room of the restaurant, although told they would be served in a separated bar in the rear of the establishment. The respondent claimed the main dining room, which seats more than 200 persons, was reserved at the time of the Wright's visit. They later admitted the party which reserved the room was considerably smaller than 200 persons.



## A CHILD LEARNS ABOUT CHRISTIANITY:

# Boy, Six, Can't Attend Church; He's Not White

*As an American P. 9*

DETROIT (ANP)—A six-year-old colored lad got a taste of racism in a place where it should be least expected—the church.

Darrell Johnson made two trips to a white church here to attend Bible class, and shortly afterward his mother received a letter from the white pastor informing her emphatically that the church was for white people only.

Little Darrell had been invited to attend the church by a white classmate at Angell School. On his first visit he was accompanied by his friend, but on the second visit he went alone.

*Strictly For Whites*

Shortly afterward, the Rev. Raymond Riggs, pastor of the Highland Park Free Will Baptist church, sent a letter to Mrs. Earl Johnson, mother of Darrell, informing her that the church was "strictly for white people."

Blaming the segregated pattern of the community, Rev. Riggs said, "We appreciate Darrell in our Junior Bible School and we wish it were possible for us to open the door to all the colored children in the neighborhood; for to be sure the Lord makes no difference, however, since our church is strictly for white people and since the tradition of segregation has not been completely broken down among many of our people, we feel that it might be best and to the interest of all that he not attend."

Rev. Riggs then offered to solve the dilemma by furthering the very thing which he had previously accused of causing it—that is segregation. He said: "We would like to offer our assistance in possibly starting a similar Bible School either in your home or some other in the neighborhood just for the benefit of the many colored children in this vicinity."

## Governor Calls for Immediate Study

# Mich. Town Is Jimcrowing Airmen

DETROIT, Mich. — Gov. G. Mennen Williams told a *re-*inary inquiries and that it appeared "that there is a real difficulty which apparently arises because there have been no affirmative local efforts to make the Negro servicemen feel at home in the community shops and taverns in the north- they are defending. That certain border town of Sault Ste. Marie, Mich.

*Gov. Williams*

Governor Williams, an outspoken advocate of civil rights without discrimination, said he had not known of the treatment reportedly given Negro airmen until he had a telegram from Roy Wilkins, administrator of the NAACP, asking that he refer the matter to the State Attorney General for action.

He said no complaints by an aggrieved party had been filed under the Michigan civil rights law with local law enforcement officials, but that he was looking into the matter anyway.

Mr. Wilkins, in his wire of Sept. 1, cited a special article in the New York Times of Aug. 30 from Sault Ste. Marie which stated that Negro airmen had to go across the border into Canada to Sault Ste. Marie Ontario, to receive courteous treatment and service in restaurants, barbershops and other public places.

The Negro airmen are members of a mixed unit assigned here to a radar station and an interceptor squadron to guard the vital Soo canal against sabotage or enemy attack. The airmen say there is no discrimination or segregation on the airbase or in its facilities, but that when they leave the base their white fellow servicemen are welcome in the American town, whereas they have to go to Canada to get decent treatment.

Arthur Johnson, executive secretary of the Detroit branch of the NAACP, said he had received a request from the New York office to obtain further first-hand information on conditions in Sault Ste. Marie.

Governor Williams said his office had made some preliminary inquiries and that it appeared "that there is a real difficulty which apparently arises because there have been no affirmative local efforts to make the Negro servicemen feel at home in the community shops and taverns in the north- they are defending. That certain border town of Sault Ste. Marie, Mich.

## 'Just Like Prison,' Soo GIs Say

# Ostracized, Insulted, Jim Crowed!

*Courier P. 4*  
*Pittsburgh, Pa.*  
*Sept. 9-19-53*  
By GEORGE S. SCHUYLER  
(Courier Associate Editor)

SAULT SAINTE MARIE, Mich.—"It's just like being in prison for us to serve here," exclaimed a young colored airman of the 753rd Aircraft Control and Warning Squadron based four miles outside this little city of 18,000 people. He was grim and unsmiling when he said it.

A veteran of the Korean campaign chimed in: "This is tougher than Korea. I'd much rather be there than



Ostracized GIs guard these locks.

here. These people call us names and don't want us around."

A buddy added, "They should not have shipped us back here to this isolated place when we had just come from overseas. Why did they do it?"

There was no doubt that this little group of eight airmen integrated in the 159-man vital organization were sore. Gathered in the office of Maj. Bernice A. Allen, the commander, with only this reporter present, they poured out their hearts.

"A man can hold so much for a little time," said another. "I try to hold as much as I can, then I fill up. Some are like that on this base. Other people know what is happening, and we know it."

"There may be trouble in town," one youngster muttered ominously, and one or two others nodded.

What has been happening in Sault Sainte Marie is a disgrace to American civilization. They are treated like pariahs by the white people they have been sent here to defend. Not one of the half dozen barber shops will serve a Negro airman. For that service they must go over to Sault Sainte Marie, Ontario, and there the



barbers cut the men's hair any way they want to. The men laughed derisively as they pointed to each other's weird haircuts.

They charged that 90 per cent of the taverns and restaurants in the American town refuse them service. They can go to one bar in what they call the slums and can some times get service at the swank Del Mar Restaurant and Cock-tail Lounge, which is expensive for an enlisted man's purse.

"Other places just don't serve you," one raged. "I sat in a restaurant for an hour and the waitress just swished by. What is a man supposed to do?"

Of course, they can go across to the Canadian name-sake of this city but understandably this infuriates them. "You've got to leave your country to get a glass of beer," observed another youngster in the group of thirty-six who were assembled for interview at the Kinross Air Force Base, a new installation twenty-three miles from town where 1,000 men service the interceptor force.

"And then," broke in another, "the Americans went over to Canada and tried to make it tough for us."

The operators of public places in the Michigan city are ready with cruel tricks to hurt and rebuff these Negro airmen who are here to help defend the vital twin Soo canals through which the great resources of the Lake Superior country are carried to the outer world.

One trick is to serve just one glass of beer to a whole group of these airmen and then declare that that's enough.

Some restaurants have signs posted reading "We reserve the right to refuse service to anyone." When one of the colored lads in his country's uniform enters, a waitress will finally amble by and point with a giggle to the sign.

In some places they have been brusquely told that colored are not served, and that's all there is to it.

The boys laugh bitterly about the USO which has a little place on the second floor of an old building on Ashmun Street. Its hospitality is a cruel mockery.

"There's nothing in it," said one of the Kinross boys. "We

can't dance with the girls at the dances given twice a week. They either refuse to dance or they just pass you by, giggling, or the woman in charge tells them to stay in the kitchen dance."

What makes it the more galling is that their white comrades-in-arms with whom they work, eat and sleep are welcomed by the townspeople. This reporter visited several restaurants and taverns and noticed that the white soldiers were most welcome.

Not only are there no women for these boys to associate with (there are only a couple of Negro families here) but they have almost no social contact with the other citizens. For female companionship they have to go 350 miles to Detroit or to Chicago, which means twelve hours on a bus or longer on the train that departs once daily.

There is evidence that all the local girls are not averse to being friendly with colored soldiers but, as one airman said, "When a girl makes a play, they put her out of her room, make her move. One fellow messed with a girl and her boss threatened to fire her."

A colored sergeant said that "quite a lot of us are married but we have no place to live here."

While the sudden influx of so many service men has complicated the already critical housing situation, some of the white soldiers have been able to secure some kind of quarters while no Negro has.

No wonder one hears such statements from the colored airmen as: "If I stay here three or four months longer, I'll crack up" . . . "If we do not get letters we go crazy" . . . "Don't put us here and forget about us" . . . "A man wants to do something besides going to the movies."

They are bitter over the hostility and scorn of the citizenry.

"I was walking down the street," one said, "and a little boy called me a name I don't like . . . What can I do?"

What all of them want to do is to get transferred. They hold that to be the only solution. Many have served in this area a long time. One man at the radar center has been around thirty-two months, two for twenty-one months, two for

nineteen months and two for over a year. Only two at Kinross have served there over eight months. All cry for rotation.

Recognizing the merit of the Air Force's integration policy, they cannot see why other colored men of equal skill and training cannot replace them. They would like to serve near some big city like Detroit or Chicago for a change. In a way it might be said that these youngsters are casualties of integration.

Just about everybody seems to be unhappy and disturbed by the situation, especially Major Allen and Lieut. Col. Victor Milner, commander of the Kinross Air Base.

Well-meaning James Robertson, the Mayor, remarked rather wistfully that "We could plan a program during the war when there were so many colored soldiers (there were about 1,000 Anti-Aircraftmen here to defend the canals from attack. Editor), but this situation is new to us. If we could have a trailer camp, then they could bring their families . . . It is a matter of recreation."

However, he felt that "the whole thing is grossly exaggerated except for the barber shops . . . Some leaders of the city met two years and discussed this thing with the ministers. Later we invited some of the boys to the Exchange Club meetings. We have sought to get them acquainted with the people, to make contacts." He implied this had not panned out very well.

George A. Osborn, editor-publisher of the Evening News, is also much disturbed and has given publicity to the complaints against his city's treatment of these youngsters. "People regret these conditions," he said, but he had no solution.

Amiable C. A. Paquin, secretary of the Chamber of Commerce, declared that "We are not in favor of discrimination. A lot has been exaggerated. There are no Negroes here except R. L. Ray, who last year won an award for the best decorated home. There is also a pullman porter's family. If we could be guaranteed a certain number of colored soldiers' families, we would try to get cottages for them. Housing here has long been

in critical condition, and has now been aggravated by the military influx." He, too, is very disturbed, but also has no solution.

Meanwhile, there is some indication that the unfavorable publicity has had a good influence. They are debating the question all over town, and out of the soul-searching may come greater tolerance and patriotic responsibility. This reporter was treated everywhere with the greatest courtesy and was refused service nowhere.

Sault Sainte Marie in Michigan's upper peninsula is very remote. As one restaurant proprietor said, "This is the end of the world." Perhaps the exposure of its sore spots may awaken the people to their responsibility as members of the larger national community.

Colonel Milner is working diligently for a better understanding and a relaxation of the jim crowsim and ostracism to which the boys have been subjected. He understands how galling it is for them to go from the ideal situation within the organization to the hostility of the town. He told them the other day: "Don't feel sorry for yourselves. That would be bad. You guys are good airmen and a credit to the Air Force and your race. I very definitely as your commander appreciate what you fellows have done in the way of fine deportment. You have to understand the people in the town, too. I feel that the good people there are disturbed."

But this is small comfort to the forty-odd young men who are being ostracized, jim crowed and insulted. There ought to be some way to send them out on pass oftener at Air Force expense to Detroit or Chicago, preferably by military planes. There ought to be more transfers and rotation (even though the two bases are shorthanded), and a trailer camp is an immediate necessity. It would be immensely helpful if the NAACP would send a representative to Sault Sainte Marie to do some missionary work. He would find some cooperation among the better element.



## Woman, Called a Negro In Paper, Wins \$5,000

NATCHEZ, Miss., Jan. 13 (UP).

An Adams County Circuit Court jury awarded \$5,000 damages to Mrs. Mary Dunigan last night because "The Natchez Times" erroneously referred to her as a Negro. Mrs. Dunigan filed suit for \$25,000 even though the newspaper published a correction and an apology. Her attorneys said the erroneous reference, made in reporting a traffic accident last, caused her to have a nervous breakdown and made it necessary for her to be treated at the state mental hospital.

## ATTORNEY JACK H. YOUNG FILES \$30,000.00 DAMAGE SUIT HERE

Attorney Jack H. Young, of this city, filed a law suit against Sears, Roebuck & Company and one of its employees, B. F. McMath, in the Circuit Court of Hinds County Tuesday afternoon, asking for \$30,000.00 damages on behalf of his client, the Rev. W. B. Easterling who lives in the Jackson Apartments on Maple Street and who is the pastor of churches located in Jackson and in Canton, Mississippi. According to the bill filed in the case, on Thursday afternoon, April 23rd, B. F. McMath, a collector for Sears, went to the home of Rev. Easterling and demanded payment for a set of encyclopedia which Rev. Easterling had bought from Sears some time ago. Having been informed by Rev. Easterling that he was unable to make pay-

Easterling was returned to his home.

Rev. Easterling is asking for \$15,000 on each of two counts; false arrest and assault with a deadly weapon.

## Racial Hatreds Dying Out Among Southern People

Editor Daily News: I have been inspired to write this from an article I read entitled "Old hate is dying in the new south" written by Mr. Howard Snyder of Canton, Mississippi. This article appeared in the Jackson Daily Newspaper on Thursday, June 4, 1953.

The article was too nice and true to be overlooked without commenting it. I should like to relate a few statements he made. He says, "I migrated from the north to the State of Mississippi forty years ago and settled in the blackest part of the cotton belt on a cotton plantation operated almost as was in the ante-bellum days. For almost twenty five years we operated that farm with Black labor. He further stated how horrible the Black race was treated by mob violence; ran by hounds and many other unfair and barbarous treatments were imposed upon them."

He also states that after forty years of residence here he can visualize some changes. Seemingly he has credited the changes to a progressive intellectual and cultural development in or with both races, all of which he is very eminently correct.

As a colored Baptist minister, having pastored here in Jackson, Mississippi for the past eighteen years, associated and working with better than two thousand members in my churches and Vice-President of the Mississippi Baptist State Convention, I voice the sentiment of many thousands of Black people when I say that his conception and thinking on the progress of the two races is an encouragement as well as proof that the right type of relationship and cooperation will bring out the right peace and harmony between the white man and the Black man. Just a chance to be understood is all any opposing factor needs and each can find the values, limits, responsibilities that they owe each other. History and sciences prove that in all ages that the physical and psychological physical statue of all human beings amount to very little difference, but religion, edu-

a better understanding, each know his place and position and execute these principles, the old south cannot live too much longer—he will soon die, have his funeral and the new baby south will inherit the cradle. Left by the old south.

P. E. Lott  
Pastor Morning Star  
Baptist Church.



ment at that time, McMath left Rev. Easterling's home and later returned with a constable. Both the constable and McMath entered Rev. Easterling's apartment and demanded payment from Rev. Easterling, threatening to arrest him if he refused. After being told by Rev. Easterling that he was unable to make payment at the time, the constable drew a pistol, pointed it at Rev. Easterling, marched him down the stairs and forced him at the point of the pistol to enter his car and proceeded to drive off. After driving a short distance Rev.

cation, and culture can exhibit the pure and true character in all humanity to recognize the fact that out of one blood God made all men to dwell upon the face of the earth as brother; I mean brother and neighbor to have and enjoy the peace, security and protection as citizens of Mississippi, America and elsewhere.

I am commenting on this article and I wish to state that if just eighty per cent of all the White citizens of Mississippi would see and express themselves like the writer, Mr. Snyder, and then if ninety per cent of the Black race in Mississippi would act to improve the standard on which he has based his expressions, I am ready to predict that the Kingdom of God would come right here in Mississippi.

This writer can say that he has traveled the Mississippi and the whole United States over and has been out of the U. S. a few times and wishes to state that the South is one of the best locations in which to live in the world. The only things the South needs is more religion, more education, culture and just a little more closer interpretation of our good United States Constitution. Let it be applied to just men, not man. Since the patriotic Job said in a statement that puts us all on pretty much the same level and I quote, he said, "All men born of a woman have but a few days to live full of trouble."

The Black people of America are experiencing their third emancipation; the first emancipation was when they were brought out of Africa and sold as slaves; the second emancipation was circumstances that came out of the Civil War of 1861-65 and third will come when we learn the lessons of pure religion, educational culture, thrift, cooperation and fellowship working together as a race in our social problems, some good common sense, plus economy, plus the same from our good white citizens and we will have a NEW SOUTH. As the article read in the Jackson Daily News that the old south is dying and a new south is being born. If we two races can have



# Something About The Jackson Segregation Ordinance

From over in Birmingham, Alabama comes word that the Mayor and one of the City Commissioners, the third being the somewhat famous White Supremacist, Police Commissioner Eugene "Bull" Conner, has proposed a plan to repeal that part of the Birmingham Segregation Ordinance which prohibits Negro and White people from playing together or against one another in sports events.

Here in Jackson, a few days ago, the Southern Collegiate Athletic Association held a meeting out at the College Park Auditorium which, despite the high purpose behind its construction is about to become more of a symbol of the most rigid pattern and practice of racial Segregation.

During the aforesaid meeting a discussion arose over the possibility of bringing to Jackson, for an exhibition performance, the world famous Harlem Globe-Trotters, who are credited with doing more for U. S. International Relations in their world wide travels than any other sports group. The Harlem Globe-Trotters are all Negroes . . . However when on exhibition they sometime, if not always play against a White Team usually a part of their entourage.

According to reports when the discussion arose concerning bringing the Globe-Trotters to Jackson the Southern Collegiate Athletic Conference was informed by a high official of Jackson that there was a segregation Ordinance in Jackson that prohibited Negroes and whites from playing together or against another . . . and more than that the ordinance also prohibited the matching of a black rooster against a white rooster in a cock fight.

Looking at the action planned over in Birmingham, and looking at the Jackson Segregation Ordinance as read to the Southern Collegiate Athletic Association, we are firmly of the opinion that there are a lot of right thinking people of both races in the City of Jackson who in the language of the Good Book are saying to the Mayor and City Commissioners go thou and do likewise.

## Says Miss. Negro For Segregation

be served in equal schools administered by teachers of their own race.

JACKSON, Miss., Oct 8 (AP)—Gov. Hugh White said today the real leaders of the Negro race in Mississippi are in favor of segregation and ask only justice and a fair deal.

The governor made the comment after conferring with the Rev. H. H. Hume of Greenville, a leader of the Negro Baptists.

Hume supports the proposed equalization program for Negro and white schools as it was drafted by the 18-member legislative committee.

He has expressed the view that the children of his race can best

# C. of C. Head Asks Solution Of Segregation

BILOXI, Miss., Dec. 5 (AP)—Robert R. Snodgrass, head of the Chamber of Commerce at Atlanta, says a solution to the segregation problem in the South is necessary for continued industrial progress.

Snodgrass addressed members of the Southern College Placement Officers Assn., which concludes their two-day meeting here Friday.

"The problem of segregation and living without it in the South presents a problem" to employers and educators, Snodgrass said.

He said industrialization implies "the Negro must have a fair share of it so as to become an American citizen who can pay his own way in taxes . . . and contribute to the national welfare in general."

THE SOUTH'S industrial progress since 1929 hasn't been as great as "most flag-wavers say," Snodgrass said, and, relatively speaking, has lost ground to the rest of the nation.



# Negroes Deprived Of Rights

## Federal Court Upholds Ruling Of Judge Ridge

By J. DELMAS ESCOE

The United States Court of Appeals for the Eighth Circuit in St. Louis Wednesday unanimously upheld a decision by Judge Albert A. Ridge of the federal district court here that the city cannot deny Negroes the right to swim in the Swope park swimming pool.

The decision also affirmed Judge Ridge's ruling of April 9, 1952, that such a denial is a deprivation of rights of Negroes guaranteed them by the 14th Amendment of the United States Constitution.

The ruling of the appeals court came two days after the United States Supreme court postponed a ruling on five school segregation cases but outlawed segregation in Washington, D. C., restaurants.

The opinion written by Circuit Judge Harvey Johnson, after pointing out that Negro citizens were permitted to use all facilities at Swope park with the exception of the swimming pool, stated:

"...it would hardly constitute equal treatment legally, we think, for the city and the park board to provide material privileges and facilities for whites, in the general recreational system set-up in the park, which were not also provided for Negroes."

"The admittance of Negroes to Swope park, the same as whites," the opinion continued, "for enjoyment of it as a general recreation area or center, in accordance with the object for which it was maintained, but with a denial to the Negro of the privilege of engaging in diving, swimming, wading and sun-bathing activity, as one of the incidents of the comprehensive recreational program afforded by the park to others on an outing oc-

casion, would constitute in our opinion unequal treatment and illegal discrimination against the Negro in his right to enjoy Swope park for what it had been made to become."

The ruling of the appeals court declined to go into a detailed comparison of the Swope park pool and the Parkway pool for Negroes at 17th and the Paseo, but it stated that many of the differences between the two pools as pointed out by Judge Ridge "would make it impossible for us to say as a matter of law that the court's appraisal of the two pools as not constituting substantially equal facilities for swimming enjoyment was clearly erroneous."

The crux of the decision was to the effect that Negroes, once being admitted to the Swope park for other recreational purposes, could not legally be required to travel from four and one-half to six and one-half miles away to the Parkway pool to participate in swimming activities when facilities for swimming were available at Swope park.

The ruling cited the United States Supreme court case of McLaurin vs. Oklahoma in which it was held that where a Negro student was admitted to the University of Oklahoma for educational purposes, he could not be deprived of facilities and privileges which were regularly subject to enjoyment by students of the university as incidents to their admission. It was accordingly held in that case that the university could not segregate Negro students in the classroom, dining hall or other facilities at the school.

Turning to a consideration of a cross-appeal filed by plaintiffs in the action that the trial court erred in denying them class relief, the appeals court stated that there was no reason why the lower court's decision should not apply to Negroes as a class rather than to the three Negro plaintiffs, but it declined to disturb Judge Ridge's ruling on this issue.

Judge Ridge had ruled that his decision only applied to the three Negro plaintiffs and not to Negroes as a class.

As to the "class action" phase of the appeal, the ruling stated:

"Violations of the 14th Amendment are of course violations of individual or personal rights, but where they are committed on a class basis or as a group policy, such as a discrimination generally because of race, they are no less entitled to be made the subject of

## MISSOURI

class actions and class adjudication under Rule 23, Federal Rules of Civil Procedure, 28 USCA, than are other several rights. And the District courts, where the question has so arisen, have practically unanimously so recognized...

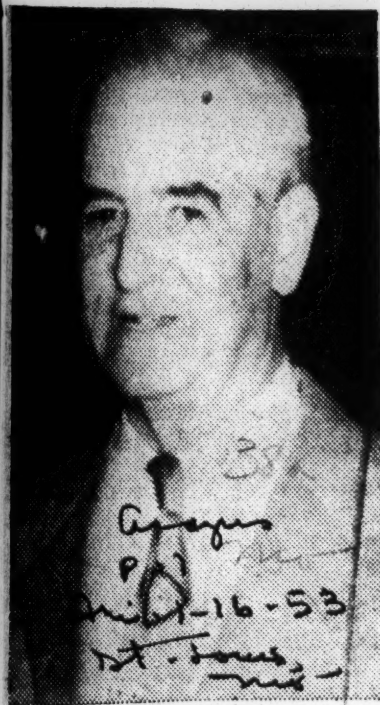
"But the trial court here also denied class relief on another ground. It said in its memorandum opinion that 'There is no evidence before this court that Negro citizens, other than plaintiffs, have ever tendered the admission price charged for swimming in the Swope park pool and have been refused admittance solely because of their race or color.'

"While this viewpoint is perhaps a bit technical and unrealistic in view of the Park board's admitted policy of exclusion yet a trial court is not without some measure of judgment as to whether a class adjudication can serve any useful purpose in a particular situation. We shall accordingly not undertake to disturb the denial of class relief made by the trial court on this latter basis—and especially so since there seems no reason to believe that the city and the Park board will presume to give the adjudication made a personal operation, as to the immediate plaintiffs only, in the situation involved."

The case was originally filed in 1951 by Mrs. Esther Williams, Miss Lena R. Smith and Joseph N. Moore who were denied admittance to the Swope park pool because of their race.

Attorneys for the plaintiffs were Thurgood Marshall and Robert L. Carter of the NAACP staff in New York, Carl R. Johnson and Almer T. Adair. Representing the city in the action were David M. Proctor, city counselor, Benjamin M. Powers and John J. Cosgrove, associate city counselors.





GOV. DONNELLY

## Boy Maneuvered From Marchers

JEFFERSON CITY — Richard Jackson, engineering student at the University of Missouri and a member of the ROTC unit there, was ordered not to take part in the Inaugural parade here Monday honoring Gov. Phil M. Donnelly.

According to Jackson, a first lieutenant, he was informed after arriving at the parade assembly point here that he was to take charge of three or four men not participating.

Jackson told the Argus that he left Columbia Monday morning in his own car with the understanding that he was to march. He said that he had not been particularly anxious to go, but the officers wanted a tall man to march with the staff in front of the ROTC unit and he was the tallest man.

**PROPER ATTIRE**  
He also pointed out that he did not have the proper attire at the time plans were being made



JACKSON

for the event and a pair of trousers which he had obtained for him so that the school said that in the first place, the university was not in the parade.

The former Lincoln student said he received his instructions from Capt. Harold Billier, faculty adviser to the Battery. Capt. Billier approached him at the parade assembly point with the information that he was to supervise several men not taking part in the parade.

### PREVIOUS EFFORT

The action surprised Jackson because he couldn't see the necessity for supervision of the few men not parading and was quite puzzled.

Jackson's statement came in the midst of protests voiced by Negro citizens here and Lincoln students who felt strong resentment at the manner in which the lily-white parade was carried out.

One citizen said he began to "smell a rat" about a week ago when the local paper, in publicizing the coming event, made no mention of Negro groups participating.

### CONTACTED SHEPPARD

Members of the faculty at Lincoln later contacted Major A. H. Sheppard, Adjutant General, concerning an invitation to the Lincoln Band and ROTC units to take part.

An invitation was then extended, however, no specific instructions or assignment in parade alignment was received by the Lincoln groups.

On Monday morning, a few minutes before parade time, instructions still had not been received.

Seeking clarification, Lincoln representatives were told their units would fall in behind the heavy equipment of National Guard units at the end of the parade line.

At this point, President Sherman D. Scruggs ordered the Lincoln groups to return to the campus.

Shortly after this, Gov. Donnelly began his speech in which he rapped discrimination.

## Band of Inaugural

JEFFERSON CITY, Mo. — The Lincoln university band and R.O.T.C. unit did not march in the inaugural parade Monday. While units from other schools all over the state participated, the band and R.O.T.C. from the college located just a stone's throw from the capitol sat on the sidelines.

Asked why Lincoln did not participate in the parade, officials at the school said that in the first place, the university was not invited to have a band in the parade. When a member of the board of directors, it was learned, contacted parade officials to find out why Lincoln U. had been left out, he was informed that it was an oversight and that Lincoln's units should by all means report for participation in the parade and a spot would be assigned them.

Monday, the Governor's statement came after the Missouri House of Representatives voted 100-10 on a resolution to apologize to the university for the incident.

The resolution was sponsored by Representatives Walter V. Lay, John Green, and Leroy Tyus, Democrats from St. Louis. Lay introduced the resolution.

Earlier, a statement came from the State Capitol to the effect that Gov. Donnelly did not know about the situation. It further said he stated no discrimination was intended.

In the statement to the Argus, the Governor said not only had he "approved" the participation of the Lincoln unit in the parade, but that he had "directed" the inclusion of the unit.

He said he first learned of their withdrawal when he noticed their absence while on the reviewing stand.

He reiterated his position of "fair play for all citizens."

Dr. Scruggs said he first learned of their withdrawal when he noticed their absence while on the reviewing stand.



DR. SCRUGGS

## House Apology To University

JEFFERSON CITY — Gov. Phil M. Donnelly said Wednesday morning he "regretted very much" the incident involving the withdrawal of the Lincoln university Band and ROTC units from the Inaugural parade here

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He reiterated his position of "fair play for all citizens."

## Dr. Scruggs Says Band Embarrassed

JEFFERSON CITY — Dr. Sherman D. Scruggs, president of Lincoln university, in a statement issued last Monday, declared that the Lincoln university Band and ROTC units had been withdrawn from the Inaugural parade because of "intolerable embarrassment."

Describing events leading up to the withdrawal, the president said:

The Lincoln University Band and ROTC units did not march in the Inaugural Parade today.

In the planning and the announcement of the Inaugural Parade it became evident that Lincoln University had been overlooked as one of the institutions to be included in the procession.

When the matter was called to the attention of the managing officials of the inauguration ceremonies, the Lincoln University officials were assured that Lincoln University's Band and ROTC units were to be included.

The units were given a place of assembly and the time to be present to join the line of march.

Today, the Lincoln University units were present and on time.

When the time came for the Lincoln University unit to take their positions in the line of march, the leader of the Lincoln Units was told by the Parade Director that no place had been designated for this Institution.

It was observed that on the roster in his hand Lincoln University had not been included for any position. It was then suggested by the Parade Director that the Lincoln University units could only be at the end of the parade; a position which came after the machine gun and tank corps vehicles. In no line of parade marching are personal units ever placed behind such vehicular units.

It is held that the Lincoln University has a respectable place among the state supported institutions of higher learning in this State. And in a parade to honor the Governor on such an occasion, its place should be among the units of that section of the parade assigned for that group of institutions. This was not done today.

Recognizing what such humiliation and depression of spirit and self-respect that that position in the parade line can cause in the minds and hearts of his students and what such an intolerable embarrassment this position in that line of march would be to their parents and the citizens of this State and the position of this University among other nations in these times, the President of Lincoln University withdrew these units from the parade and the scene of such an humiliating experience for them.

Sherman D. Scruggs, President.

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Sherman D. Scruggs, President.

High Court Kills K. C. Pool Bias

WASHINGTON — The recent Supreme Court ruling allowing Negroes use of the heretofore segregated Swope Park Municipal swimming and bathing pool at Kansas City, Mo., may brighten prospects in regard to discrimination in public schools.

The high court re-hearings on the public school cases has been slated for Dec. 8, after being postponed on Oct. 12.

Bitterest opposition expected by

Previously, the city contended that its swimming facilities for whites and Negroes are "substantially equal" and therefore the 14th Amendment to the constitution permits segregation.

With the Supreme Court ruling against the "separate but equal" clause in regard to recreation, it

also established the possibilities NAACP officials will take roots in education, will be ditched from the public school system into a private operation if the court rules against segregation — the southern tradition. His "partner in segregation" who made similar promise, will be Gov. James F. Byrnes, of South Carolina.

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# ST. LOUIS THEATRE ENDS SEGREGATION

The American Quietly Adopts  
New Policy, Reported to Be  
Proving Satisfactory

Special to THE NEW YORK TIMES.

ST. LOUIS, Jan. 5—The American Theatre, St. Louis' only legitimate playhouse catering to touring attractions, quietly ended its policy of segregation when it opened its thirty-fourth season in October, it was disclosed last week. Seats are now available to Negroes in all sections of the house, it was said.

In the past, Negroes had been admitted only on a segregated basis, a policy that caused the theatre to be picketed on various occasions. Generally, Negro patrons had been admitted only to the second balcony. In the case of shows with all-Negro casts, some seats were reserved also in other sections for Negroes.

The first St. Louis newspaper story about the new non-segregation policy was published on Thursday. Paul Beisman, manager of the American Theatre, said no announcement had been made because it was felt by the management there was no need to draw attention to the matter.

Twenty-five Negro couples have attended the theatre sitting in locations other than the second balcony, since non-segregation was put into effect, Mr. Beisman said, and the new policy has worked out satisfactorily.

In 1949, when municipally owned swimming pools were opened for the first time for inter-racial swimming, nine persons were injured in a clash in the Fairground Park area. The policy was quickly reversed, but the pools were reopened on an inter-racial basis in 1950 under a Federal Court order obtained by the National Association for the Advancement of Colored People.

A study made of the 1949 clash resulted in a report that in part criticized the daily press emphasis on stories about the non-segregation policy before the opening of the pools.

## Bellamy Praises Action

The lifting of segregation at the American Theatre in St. Louis brought the following comment yesterday from Ralph Bellamy, president of Actors Equity and Chorus Equity Associations:

"In one after the other of the

cities and states of this country, the barriers between the races are crumbling simply because their citizens realize that it is the fair, and decent and honorable thing to do. And they want to do it themselves. Equity congratulates the management of the theatre and the people of St. Louis for this action and hopes that it will be followed rapidly and conclusively by many other cities across the country."

## Spa's Hotels Lower Bars For Confab

EXCELSIOR SPRINGS, Mo.—The famed Elms and Oak hotels in this secluded Ozark mineral water resort will open their doors to Negroes for the first time this week when the Missouri Association for Social Welfare holds its annual conference Oct. 28-30, according to an announcement from the state-wide organization.

The Missouri Association, made up of more than 2,000 Missourians interested in improving the welfare of all persons, adopted in 1951 a policy that it would not meet in any city which did not provide equal facilities for all of its delegates.

In its membership are social workers and laymen of many races and creeds.

IN KEEPING with this policy the former jim-crow Excelsior Springs hotels are offering rooms and dining service to all delegates for the three-day meet.

This year's conference, the association's fifty-third, will bring to Missouri many outstanding speakers in the field of social welfare and civil rights.



In St. Louis

## Theatre Bias Corner Discontinued

ST. LOUIS (MCBB) — Segregation has been ended at the American Theatre, the city's top legitimate house, it was announced this week.

The announcement brought an end to a concentrated five-year effort to end jim-crow seating arrangements at the downtown legitimate stage theatre.

In the past, Negroes had been admitted to the American only on a segregated basis, a policy which caused the theatre to be picketed on numerous occasions. A continuous two-year picket line in front of the stage house was discontinued by the St. Louis Branch of the NAACP two years ago following negotiations to open the house on an integrated basis.

SEVERAL PLAYS are reported to have been cancelled at the American as a result of its jim-crow policy during the past few years.

Paul Beisman, manager of the American, said the theatre dropped segregation last October. He said the theatre management had made no announcement of the new policy because it was felt there was no need to draw attention of the matter.

About twenty-five Negro couples have attended since non-segregation was put into effect and the new policy has worked satisfactorily, Beisman said. The theatre operator is also manager of the city-owned St. Louis Municipal Opera summer theatre, here which has operated on an integrated basis since its opening in 1934.

# St. Louis Theatre

THE decision of the American Theatre in St. Louis, Mo., to admit colored patrons to all parts of the house is indicative of a wholesome trend in the Missouri metropolis.

It was not many years ago that St. Louis was a typical jim-crow Southern town so far as Negroes were concerned.

Today the community bids fair to become one of the more liberal cities of the midwest.

To the credit of the Catholics, they broke the ice when the local Bishop forced parochial schools to admit Negroes on a plane of equality.

Once that corner was turned, other things began to happen, and an atmosphere of tolerance was created which influenced the entire community.

It was a foregone conclusion that the annoying jim-crow practices in the local theatre would eventually be ended, and they have been.

There is a whole lot yet to be done but no one will deny that a whole lot has been done, and will be done.

This is a good illustration of the American way of life.

These changes for the better have been made, it is to be remembered, not by force and violence (which have characterized changes elsewhere in the world) but by peaceful persuasion.

When we look around the world we note that hatred, force and bloodshed seem necessary to improvement of social conditions; but in the United States the most revolutionary changes have taken place in an atmosphere of tolerance and good will.

This is the way it should be and the way we want it.

We congratulate the owners of the American Theatre for making this change, and we hope that other businesses in St. Louis which have not done likewise will get in line.

## BIAS STUDY SCORES ST. LOUIS LEADERS

Urban League Says 'Climate' Was Improved in '52 but Race Progress Lagged

SPECIAL TO THE NEW YORK TIMES.  
ST. LOUIS, Feb. 14—The Urban League here declared in its annual report this week that "responsible community and civic leaders, as a whole, did not take advantage of the improved racial climate generated last year to advance the cause of human and race relations in St. Louis."

The league is dedicated to improving the living conditions of Negroes through obtaining better job opportunities for them and better training, housing and health and welfare facilities.

The group's executive director, M. Leo Bohannon, in submitting the report at a Community Chest dinner, said 1952 had been "disappointing."

"Islands of complete denial of any sort of employment for Negroes were still present in local industrial patterns at the end of the year," including ten of the larger plants holding defense contracts, the report asserted.

Restrictions imposed by public utilities, department stores and unions also were cited. The report said that "organized labor unions, as a whole, did not keep pace with the improving attitude of management."

Mr. Bohannon said prejudice had discouraged Negroes from learning skilled trades, with the result that "the league is faced with the ironic situation of having secured more skilled job openings available to Negro workers than there are trained workers to fill them."

The league also deplored the housing situation, with 90 per cent of the Negro population restricted to about 500 city blocks; recreation facilities, segregated schools and health facilities here. Only sixteen out of the twenty-nine general hospitals in the area admit Negroes, nine of them on a segregated basis, it declared.

## The Cotton Club Case

Why does the N.A.A.C.P. go to the defense of a tavern?

This question has been asked often since the announcement was made that the Kansas City branch would offer assistance in the Cotton Club case.

The answer is easy for those who are well acquainted with the aims and purposes of the N.A.A.C.P. — not so easy for those who are vague about the association.

The N.A.A.C.P. enters any case whenever there is evidence of injustice based upon race. It has gone into murder cases and into rape cases when it believed the defendant was an innocent victim of prejudice.

In the Cotton Club case, there is ample evidence that those who have gone to court in an effort to close the highway spot are motivated solely by the fact that the club caters to Negro patrons.

The club was operated for years for white persons. No suit was filed to have it closed although numerous complaints were made that it was a public nuisance.

As soon as the place was opened for Negroes patronage, legal action was taken to have its doors closed — not because the persons operating it or those attending were noisy or guilty of misconduct, but simply because its patrons are Negroes. Incidents of misbehavior pointed out in the petition occurred for the most part last summer when the place was still frequented by white persons. Money to conduct the fight to close the tavern was collected out in the county even before the night spot was re-opened for Negroes. A "slush" fund was raised to "keep Negroes out of the neighborhood."

It is because of this racial angle that the N.A.A.C.P. will give legal assistance in the case.

The operators of the Cotton Club and the persons who go there for an evening's entertainment have as much right as anyone else to enjoy the wide open spaces on the county highway. As long as the place is operated quietly and decently and does not infringe upon the rights of others, there is no justification for the attempt to close it.

We have every reason to believe that the only reason the petitioners want it closed is because it was opened for Negroes. The owner received several threats even before he reopened it for Negro patronage — proof that the race of the patrons is the main issue.

We feel that the county prosecutor was hasty when he filed the suit on behalf of the petitioners with-

out first making an investigation. Had he chosen to from the fact that the patrons are Negroes. The N.A.A.C.P. rightly has entered this case. The whole community should back the right of Negroes to enjoy night life in the county without molestation. orderly manner and that the complaints stem only



# St. Louis Theatre Ends Jim Crow Rule

ST. LOUIS — The American Theater in St. Louis has received the congratulations of the local branch of the NAACP for ending its Jim Crow seating policy.

Under the theater's new policy, which began last October without public announcement, Negroes may sit anywhere in the house. Previously, they were restricted to the second balcony.

Since the change of policy, about 25 Negro couples have attended plays at the theater.

A telegram from Winfield Wheeler, president of the St. Louis NAACP branch, offered congratulations on "the change of the discriminatory policy to the democratic ideal and admission of all persons to all seats without regard to race, creed or color."

Wheeler added: "We sincerely believe you have aided greatly in St. Louis' stride for social justice."



BILLY ECKSTINE

## Balladier Unable To Break Ban

"Mr. B", the bronze balladier and the idol of thousands of lovers of sweet songs of all races, ran smack into the infamous "gentleman's agreement" that blankets St. Louis hotels in its peculiar, if not unusual manner. Billy Eckstine, who headlines this year's YMCA Circus, was unable to secure hotel accommodations in two of this city's downtown hotels

### Open The Swimming Pool

It is unfair to the white citizens of Kansas City for the park board to keep the Swope Park swimming pool closed this summer. They should not stand for such discrimination. The board closed the pool last year rather than admit Negroes in accordance with a court decision. The city appealed the case, using this as an excuse to keep the pool dry during sweltering July and August days.

The state supreme court has not yet acted on the appeal. Another summer approaches. Unless the taxpayers whose money paid for the pool demand that it be opened, the million-dollar facility may remain dry another summer.

There are a lot of people in Kansas City who want to swim. They are not too concerned about who else swims. They want to swim and they want to swim in Swope Park. If enough of these persons get together and tell the park board how they feel, the board will open the pool. The park board members have no right to keep this tax-supported facility closed against the will of the people.

Webster Groves, Mo., a suburb of St. Louis, faced the same situation. A court order opened the city-owned pool to Negroes. The city closed the pool. The matter was left to the people to decide. An election was held and the people voted to open the pool to everybody.

If the park board does not have the courage to open the pool, then let the people decide. There is no legal requirement that the pool be kept closed until the supreme court gives its decision. The lower court ordered the opening of the pool to all. That the city should do until a higher court rules otherwise.

although effort was made, from the park office and on the local level in that regard.

Eckstine, himself apparently still unaware of the "agreement" to which the management of the city's major hotels adhere.

#### 2 CONVENTIONS

Questioned by the Argus this week, Eckstine said his office was told there were no accommodations for his party because of "two big conventions" allegedly meeting here.

Efforts were made to put Eckstine in either the Hotel Jefferson or the Hotel Statler.

Strangely enough, the party of Joe Louis, former heavyweight champion, quartered a few weeks ago at the Jefferson and further, the Statler housed this week, Mrs. Hennie Ward Banks, a member of the national board of directors of the National Council of Negro Women.

#### RESERVATIONS TUESDAY

Mrs. Banks' reservations were made as late as last Tuesday by long distance telephone. She

checked into the Statler early Tuesday evening and left early Wednesday morning. She reported service as being "quite satisfactory."

The hotels have been reported, and commended, for dropping their racial bars. This change in policy followed a series of cancellations by convention groups to St. Louis. An investigation disclosed, however, that apparently the changing of the policy applies to convention groups, alone, unless the reservation is made in advance and the management has no way of identifying the correspondent as to race.

#### SOME ACCEPTED

During the past few months, such Negroes as Leroy Jeffries, advertising manager of Ebony magazine, and Roy Wilkins, administrator for the NAACP, have rented rooms at these hotels. However, when Wilkins wrote for a quantity of rooms to house the staff of the national office here in June during the organization's national convention, they were told they were "filled up."

Recently the United Packinghouse Workers Union, CIO, sought information concerning the bringing of its national meeting here in October and were advised against it by two hotel managers. According to a spokesman for the union, he was informed that one hotel would only accept two percent of the delegates non-white. Another said it would consider ten percent.

#### 35 PERCENT

The spokesman said over 35 percent of the Union's delegates are Negroes.

Formerly, the coffee shop in the Jefferson was announced by CORE (Committee of Racial Equality) as being opened to all races.

# Court of Appeals Affirms Right of Negroes in K. C. To Use Swimming Pool

St. Louis.—Last Week the United States Court of Appeals for the 8th Circuit in an unanimous opinion affirmed the lower court judgment entitling Negroes in Kansas City, Mo., to use the Swope Park Swimming Pool, a municipally owned and operated swimming pool which had been reserved exclusively for white people. The lower court's judgment was entered in January of 1952. This appeal was argued in St. Louis on November 15, 1952 before the U. S. Court of Appeals for the 8th Circuit.

In announcing its opinion, the court laid emphasis on the fact that Negroes were admitted to Swope Park and that having been admitted they could not be required to go to some far distance to use the segregated swimming pool while white people were permitted to use the swimming pool at Swope Park. The city announced that it would take the case to the Supreme Court of the United States.

The case was instituted in 1950 by Esther Williams, Lena R. Smith and Joseph Moore, members of the NAACP Branch in Kansas City. The NAACP attorneys handling the case are Carl Johnson, Kansas City, Mo., and Thurgood Marshall and Robert L. Carter of the National Office.

After the decision of the trial court, the city closed the pool last summer pending decision by the Court of Appeals. Since an appeal will be taken to the Supreme Court of the United States, it is probable that the pool will remain closed during this summer.



# Movies Here Hold Color Line



THESE WIDELY KNOWN ST. LOUIS theatres continue to exclude a large segment of the urban population despite an admitted slump in the moving picture business. Operating with tremendous investments, managers and owners of these first run houses have stubbornly refused to seek some portion of the vast \$15,000,000,000 market, which economists say Negroes spend annually. Of this group of entertainment houses, only the American, a legitimate house, operates on a completely democratic basis. The American's manage-

ment adopted this policy last January. Note the American flag, the nation's symbol of democracy on the marquee of the Loew's. —(All photos by Henderson of the Argus staff.)



# 'No Progress' Despite Discussions

man Park lowered the racial bars in the grandstand, several years ago.

It is reported, however, that at one of the theaters, a Negro serviceman, in uniform is never refused a ticket.

The more recent negotiations with the theater chains has been carried on by CORE. A spokesman for that organization said this week he could report "no progress" at this time.

All owners have insisted that each would open his doors providing all of the houses in the city complied at the same time.

## WANTS LOEWS, TOO

A spokesman for the Fox theater, which also controls the St. Louis and the Ambassador, said the chain's management would consider opening if Lowe's State would agree.

The theater question was reopened after reports that Washington, D. C., houses are fast changing their policies in downtown and neighborhood houses as well.

Negotiations on the theater problem has been carried on for a number of years. Various groups, white and colored, have sought to work out a solution for this further step in race relations.

A few months ago, managers of the St. Louis theater, admitted Negroes without fanfare. There were no reported incidents in the house, but a small congregation outside the theater caused a quick cancellation of the policy.

At present only three theaters admit customers on a thoroughly democratic basis. They are the Pageant and the Shady Oak. Both of these houses handle films of a special character and are also located in the extreme western section of the metropolitan area.

## JO BAKER ENGAGEMENT

Representatives of the Association of Colored Women's Clubs proposed a plan to play Josephine Baker in a "Homecoming" performance at one of the Grand avenue shows as a means of lowering the racial bars. This was prior to Miss Baker's appearance here.

In some of the negotiations, theater representatives have requested that letters of approval of the idea be secured from leading civic figures as well as important agencies and newspapers. In some instances, this request has not been complied with.

The campaign has also been marked by sustained picketing of the theaters by Henry W. Wheeler, in the name of the N.A.A.C.P. The process of negotiation has been carried on now for the more recent years.

Among the organizations that have worked with the theaters have been CORE, the NAACP, the March of Washington committee, the Colored Women's Clubs and the Mayor's Human Relations Council.

These same skeptics fail to recognize that all public owned facilities are open and operate without incident. Up to 100,000 persons of all races and creeds regularly attend events at the Kiel auditorium, stadiums and the Arena. There was also no incident when the operators of Sports-

The major motion picture theaters of St. Louis and vicinity yet hold fast to their color bars despite that a more democratic trend manifested in other areas of the city, a St. Louis Argus survey revealed this week.

The theater question was reopened after reports that Washington, D. C., houses are fast changing their policies in downtown and neighborhood houses as well.

The trend in Washington is significant in that the city is very similar to St. Louis in its racial patterns and in some instances sought to work out a solution for the Nation's capital is behind St. Louis in its race relations.

## TWO ADMIT

At present only three theaters admit customers on a thoroughly democratic basis. They are the Pageant and the Shady Oak. Both of these houses handle films of a special character and are also located in the extreme western section of the metropolitan area.

Last January, the American theater curtailed its policy of segregating Negro patrons in its second balcony and started admitting them to all sections of the house.

This season the American is located in its new building on Grand avenue. There was some speculation that the democratic policy of the legitimate theater in proximity to the other houses might have some effect upon their policy, but apparently this has not been the case.

A rigid stand against admitting Negro patrons has been stubbornly maintained despite the presence of evidence to prove such a move could be accomplished.

The numerous Drive-In theaters in the area admit all races and to date there has been no reported racial incidents. Skeptics, however, point out that in the case of the open air theaters, customers are confined to one's individual automobiles.

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## Pool To Admit Colored Patrons

United Nations and the elimination of foreign trade barriers.

## CORE Lists 19 Eating Places

Thirty-four previously all-white eating establishments here, operated by 19 individual firms, have opened to Negro patrons recently following an intensive campaign by the Committee of Racial Equality (CORE).

CORE started its campaign to break down discrimination in cafes and restaurants several years ago. A spokesman said CORE members have eaten at the 34 places and have "generally received good service."

Eating places now open according to CORE follow:

Eisner's Dime Stores at 6125 Easton avenue, Wellston and 6th street and Washington avenue; Leeger's Dime Stores, 6108 Easton, Wellston, and 6th and Washington; Woolworth's Dime Store, 8th and Olive streets; Jefferson Hotel Drug Store, 415 North 12th boulevard; Teutoberg's, 714 Washington; Katz Drug Stores, 7th and Locust streets (first floor only) and 8th street and Washington; Chippewa Drug Stores at Grand and Washington avenues and Grand and St. Louis avenues.

Sears, Roebuck and Company, 1408 North Kingshighway and 3708 South Grand; East St. Louis Bus Terminal, 4th street and Washington; Greyhound Bus Station, 701 North Broadway; Statler Hotel Cafeteria, 9th street and Washington; Downtown YMCA, 1528 Locust; Northside YMCA, 3100 North Grand; Downtown YWCA, 1411 Locust; Washington University Clinic Cafeteria, 507 South Euclid avenue.

Scruggs' Basement Cafeteria, 10th street and Olive; Municipal Art Museum, Forest Park; Fred Harvey Restaurant, located in Union Station, 18th and Market streets; Schneithorst's Restaurant, Lambert Field Airport; all Walgreen Drug Stores and Glaser Drug Store, 276 North Skinker boulevard.

## Catholic Women To Work Against Discrimination

ST. LOUIS, Mo., (RNS)—More than 1,100 Catholic women pledged themselves to work against discrimination based on race, color or creed, in a resolution adopted by the St. Louis Archdiocesan Council of Catholic Women.

The resolution said that discrimination should be eliminated in employment, housing, health care, education, public accommodations, and parish activities.

Another resolution urged revision of the McCarran-Walter immigration law to remove discrimination against certain groups by removing the quota basis of national origins.

Catholic women were urged, in another resolution, to support better public schools "to the end that all children may receive an education based on natural law whose author is God."

The Council also supported

# Kansas City Moves To Kill Swim Pool Order White Woman Fined; Had Negroes in Home

WASHINGTON, D. C. (NNPA)

—The city of Kansas City and certain of its officials have asked the United States Supreme court to review the judgment of the Eighth U. S. Circuit Court of Appeals, opening up the lily-white swimming pool in Swope Park to colored swimmers.

In their brief in support of their petition for a review, Kansas City authorities said that "several Jim Crow pools located in colored residential sections serve the colored people of Kansas City 'better and more fairly' than if

one large Jim Crow pool had been located in Swope park.

They contended that the Court of Appeals erred in relying upon the McLaurin case as authority for affirming the judgment and decree of the Federal District court at Kansas City.

(In the McLaurin case, the Supreme Court ruled that G. W. McLaurin, having been admitted to the University of Oklahoma graduate school, could be treated no differently than white students).

The Kansas City brief argues that the Court of Appeals ignored the vital point around which the case turned and drew an analogy between the Swope park swimming pool case and the McLaurin case when no legitimate analogy existed between the two situations.

It points out that McLaurin had been admitted to the University of Oklahoma but had been segregated in such ways that the Supreme court found he was not able to receive the benefits of his admission as did white students.

In the Swope park swimming pool case, the brief asserts, the Court of Appeals took the position that the three plaintiffs — Esther Williams, Lena R. Smith and Joseph N. Moore — had been admitted to Swope park and were able to enjoy all of its recreational facilities except the swimming pool, and, therefore, had not been able to make full use of Swope park.

A 24-year-old white woman was arrested and charged with disturbing the peace this weekend, because she invited a mixed group of Negro and white friends to her apartment for a cup of coffee.

The young woman, a social worker, was ordered by the landlady to "get those colored people out of there" under threat of eviction and arrest.

When the tenant protested, the landlady summoned police and both the tenant and her guests were taken to the No. 2 police station at 20th and Flora Ave.

The incident occurred shortly after midnight Saturday night at the home of Miss Lucille L. Morris, 724 Forest Ave.

Give Account of Events

Miss Morris and her friends gave the following account of events leading up to the arrest:

Miss Morris, along with a number of other people, had been visiting a young married couple earlier in the evening. About 12 o'clock they decide to leave since the couple had young children and they felt they were keeping the youngsters up. As the gathering dispersed, some of the group suggested going someplace to have coffee.

They decided that the few restaurants where Negroes would be admitted would be crowded, and so they chose to go to Miss Morris' apartment.

No refreshments were served earlier in the evening, nor had any member in the party had anything to drink.

Included in the group which decided to meet at Miss Morris' home were Mrs. Rosalie Widman, program coordinator for the United Packinghouse Workers, CIO, Miss Lena Rivers Smith, a reporter for THE CALL; William Carson, a social worker; Burrell Miller, assistant manager of a coat manufacturing firm; Jacob Middlebrooks, a packinghouse employee, and Harold E. Bernhardt, Jr., an organizer for the International La-

dies Garment Workers Union, AFL. *Aug. 28-53*

Four Are Negroes

Miss Smith, Carson, Middlebrooks and Miller are Negroes. The rest are white persons.

All except Miss Smith and Bernhardt reached Miss Morris' apartment about 12:25 a.m. The other two arrived about 40 minutes later, after taking another friend home.

Shortly after entering Miss Morris' apartment—even before the coffee had begun to perk—Miss Morris was summoned to her door by Mrs. Hazel Egan, manager of the apartment building.

Mrs. Egan lives in another building which she manages at 926 E. 30th St., about four blocks away.

(Mrs. Egan testified in court Tuesday that she was called by one of her tenants at about 12:30 a.m., which was approximately the same time, almost to the minute, that Miss Morris and her friends reached her home.)

Mrs. Egan refused to accept Miss Morris' invitation to come into her apartment, but insisted instead that Miss Morris step out into the hall where she demanded to know if it were true that Miss Morris had "some Negro men in her apartment."

Miss Morris replied yes. Mrs. Egan then asked if any other white women were there and the tenants gave a round in the affirmative.

Orders Negroes Out

Mrs. Egan then ordered Miss Morris to "get those colored people out of there," stating that unless they were gone within five minutes, she would call the police.

Mrs. Egan declared that the two young white women "should be ashamed to be entertaining Negro men."

When Miss Morris protested that Mrs. Egan was putting the "wrong interpretation on the situation," and invited the landlady in to meet her friends, Mrs. Egan refused. She repeated her threat to call police and told her tenant that

unless her Negro friends left immediately, she would be evicted. Miss Morris explained to the guest landlady that it would be impossible for her to leave at that time anyway, since she was expecting more guests to arrive momentarily.

Reaching a deadlock in the discussion, Miss Morris returned to her apartment and devoted her attention to her guests. She also called an attorney and informed him of what had transpired. She is into the hall and repeated her

Landlady Calls Police

When the remaining two members of the party arrived, the landlady again summoned Miss Morris into the hall and repeated her

This conversational exchange lasted about 20 minutes. At no time did Mrs. Egan accuse either Miss Morris or her guests of creating a

disturbance. Nor did she request asked if, under the law, she would be required to admit police of officers and was advised that she would not have to unless the officers brought a warrant with them.

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Landlady Calls Police



through this opening. In answer to the No. 2 police station, where their questions, she explained that two women signed complaints of she was serving coffee to a few disturbing the peace against each friends, and that they expected to other. be there only a short time.

#### Out Under Bond

She called the officers' attention to the fact that she was not playing any music and that the group's conversation was in low tones. Miss Morris was released under \$25 bond pending a hearing on the charge, which took place Tuesday morning in the Municipal court of Judge Ayers Blocher.

Miss Morris refused to admit the officers to her apartment and also to step out into the hall, explaining that she was acting under the advice of an attorney. It is not known whether Mrs. Egan was required to post bond. The above is an accounting of the events as given by Miss Morris and her companions.

The officers told Miss Morris they did not have a warrant.

The policemen and Mrs. Egan then retired to the far end of the hall, near the building entrance.

#### Heckler From Outside

During Miss Morris' conversation with the uniformed men, some unidentified person standing out doors on the north side of the building, yelled in through an open window: "You'd better get those colored people out of there—right this minute!" The voice, which was particularly vicious, was that of a woman.

None of the persons inside the apartment replied to this shout. They lowered the window and the venetian blind.

A short time later, the uniformed men returned, this time accompanied by other officers. When Miss Morris attempted to talk with them, one of the officers warned her to stand back that they were going to kick the door in, which they did.

In the group were four uniformed men, including Lieutenant Sprague of the No. 2 police station, and two plainclothes officers.

The police officers, after giving the two-room apartment a quick search, immediately took in the situation.

#### Officers At A Loss

Obviously noting that there were none of the "usual indications" of a disturbing party—no music was being played, no intoxicating beverages were being served—the officers appeared at a loss as to what to do next.

One of them commented, "Well, I can't see that there's anything wrong here. The only thing you people have done wrong was in not opening the door."

The officer then asked Miss Morris what she wanted them to do and she replied that she'd like to be left alone with her guests.

She reminded the officers that it was the landlady who summoned police and suggested that he ask Mrs. Egan what she wanted to do.

Informed by Lieutenant Sprague that the only way she could have Miss Morris arrested would be to go to police headquarters and sign a complaint, Mrs. Egan adopted this course.

The entire party was taken to

Miss Morris was released under \$25 bond pending a hearing on the charge, which took place Tuesday morning in the Municipal court of Judge Ayers Blocher.

It is not known whether Mrs. Egan was required to post bond.

The above is an accounting of the events as given by Miss Morris and her companions.

A considerably different version was given by the landlady and her "witnesses" Tuesday. Accompanied by three other tenants of the building, Mrs. Egan appeared in court and declared that she had asked her tenant to have her guests leave because "they were playing music and talking loudly."

Mrs. Egan's testimony was corroborated by Mrs. Geraldine McCrary and Miss Virginia McCullum, tenants on the third floor of the building; Miss Charlotte Davis, a librarian, who lives on the second floor, and Mrs. E. E. McGee, who occupies the first apartment on the first floor.

Only one of the "witnesses" was seen by Miss Morris and her friends that night.

One witness testified that she heard "loud music and laughter" coming from Miss Morris' apartment, although she was unable to state what kind of music—whether popular or classical.

Another tenant identified the music as "what they called popular." A third described the gathering as "a jive session."

Miss Morris told The CALL that she does not own any popular records.

Miss Morris was accompanied to trial by all of the persons who had been in her home that evening, each of whom testified.

None of the arresting officers appeared at the trial Tuesday morning, a fact which some courtroom observers thought unusual.

The charge against Mrs. Egan was dismissed. Miss Morris was fined \$15 and placed under a peace bond. Her attorney, Tom Howell, said immediately he would appeal the decision.

A hearing on the appeal has been set for Sept. 11.

# Reverses Conviction In Race Bias Arrest

## Lucille Morris Wins In Court of Appeals

A disturbance of the peace conviction against Miss Lucille L. Morris, 24-year-old white woman who was arrested for entertaining Negro friends in her apartment Aug. 16, was dismissed Friday on appeal before Circuit Court Judge Ben Terte.

The appeal was from a \$15 fine levied by Municipal Court Judge Ayers Blocher in a police court hearing Aug. 18. Miss Morris, 3125 Forest, had been placed under a peace bond.

Judge Terte's decision last week constituted a complete reversal of the lower court's judgment.

#### Police Officers Testify

The appeals court ruling was delivered without a word of testimony from Miss Morris or the six witnesses who accompanied her.

It came after two police officers who took part in the arrest, testified that they observed no disturbance when they were summoned to the apartment building by the manager, Mrs. Hazel Egan.

Under direct questioning by Judge Terte, the officers, Patrolman William R. Austin and Lieut. James Sprague, both of whom were assigned to the now defunct Flora Avenue station, testified that they forced their way into Miss Morris' apartment at the insistence of the manager who told them she didn't want them (the Negroes) in there.

To the question put by Judge Terte, "Did you see any disturbance of the peace?" Patrolman Austin answered, "No."

#### Apartment Was Orderly

The officer testified that upon entering the apartment, he found "it was very orderly. They were sitting there drinking coffee."

He said that altogether he was in the building about an hour and 15 minutes before forced entry was made into Miss Morris' apartment. He said he heard no "loud talking, profanity or vulgar talk" during that time.

Austin was one of two uniformed patrolmen who answered the call put in by Mrs. Egan. When Miss Morris refused to admit the policemen to her apartment without a warrant, they summoned Lieut. Sprague, who was in command at night at the No. 2 station.

Sprague told the court that he was under the impression that Mrs. Egan wanted Miss Morris arrested because "she was entertaining Negro friends in her apartment."

She (Mrs. Egan) said Miss Morris was entertaining Negro friends in there, and it was against the rules to have visitors in the building after 12:30, Sprague related.

He later amended his testimony to say that he thought the manager's complaint was based on two reasons: that there were Negroes in the building and that there was a disturbance in the apartment.

#### Court Criticizes Officers

The court questioned the legality of the forced entry without a warrant when there was no evidence of a disturbance.

Judge Terte questioned Lieut. Sprague:

"Well, officer, I would just like to know one thing. I'm not going to be critical of you, because I think you thought you were doing the right thing, but under what authority did you think you had the right to break in that door?"

Sprague replied that he had the authority of the manager of the apartment building.

To which the court remarked, "He (the manager) had no authority to break the door of a home has he? I don't understand why you did that without a warrant or some authority of law—to break down a door to get into an apartment where you knew of no disturbance."

Judge Terte's opinion was in marked contrast to that expressed by Judge Blocher in the earlier hearing. When witnesses testified in police court that the officers did not have a warrant, Judge Blocher said they didn't need one.

Judge Terte's ruling in the appeal took into account the undeniable element of race prejudice which led to Miss Morris' arrest.

"I think they were playing a little too late," Judge Terte said.

(He referred to the testimony of Mrs. Egan that loud music was being played in Miss Morris' apartment. Neither Miss Morris nor her witnesses were required to testify at the appeal hearing; however, their previous testimony was that no music was played at any time.)

Judge Terte continued:

"I think they were disturbing but I don't think in law this is a

disturbance of the peace... This is Saturday night (the night of the arrest)—summer time, an probably it was because of the fact that people other than white people were going in that this whole thing happened. But there is a lawful way to take care of the problem I don't think that under the law the authorities had the right to break that door down without a warrant of some kind. "They didn't hear any disturbance of the peace. In view of that situation, the defendant will be discharged."

## Theater Drops Race Bars For One Week

ST. LOUIS — The Ambassador theater here, which had never opened its doors to Negroes, lowered its racial bars for "one week" for the showing of "Martin Luther," a powerful documentary film on the birth of Protestantism.

The management, in admitting all races to view the film, praised by the executive committee of the Metropolitan Church Federation.

The Church Council in presenting the picture here established the non-segregation non-discriminatory policy in preparation for the showing.

Thousands of persons of all races saw the film during the Ambassador showing as the doors opened to Negroes for the first time. There were no reports of racial flare-ups, despite the huge crowds and a system of "Lights-on" during regular intermissions.



# St. Paul Has Funny Jim Crow Case

ST. PAUL, Minn. — This city is in the throes of what witnesses describe as one of the most un-American situations ever to arise in its history. **P.1**

Now while every agency from the Governor's Interracial Commission to a city detective is investigating three prominent citizens are still smarting from the Lexington Restaurant and Lounge apparently on account of their race. **38a**

The Jim Crow act, now known as the Tinker-to-Evers-to-Chance double play variety and the longest drawn out for one evening on record, had for its first victims, Thomas Talley, executive secretary, St. Paul Urban League, and his wife, Violet, who were refused service by Donald Ryan, manager of the place. Later the same evening the couple returned with George Mann, business representative of Local 151, County, City Employees union. The three were refused service. **38a**

## WHAT HAPPENED

Here is the chronology of the incident:

At 8:35 in the evening Talley and his wife were told they could not be served until 10 p.m. because the place was occupied by a private party. Then Mann and Edward Blackwell, local newsmen came into the picture.

Blackwell called the restaurant for reservations and according to his statement he was told to come right on over because reservations were not necessary.

At 9:10 Mr. and Mrs. Talley went back into the restaurant and again they claimed they were met by Manager Ryan who asked what they wanted. Two persons were seated in the front of the place. The Talleys told the manager that they had decided not to wait until 10:30 and that they would take a seat up in front. **38a**

## GET FLAT REFUSAL

At this juncture they were told that they could be served at the bar. When the Talleys noticed that no food was being served at the bar, the husband demurred saying that he would rather have his wife sit at a table.

Ryan is said to have spoken up angrily stating that "those tables are not available!" Just then a white party of four walked in the place and were seated in the same location without any fanfare. A member of this party was asked if reservation had been obtained prior to their entry and he said, no.

## POLICE CALLED

Irritated at the situation, Talley phoned the police at 9:20 and at 9:45 another call was made. Then there were a few more minutes of waiting and Talley finally called Chief of Police Neil McMann. The chief promised to follow through with the matter.

With Mann inside the place with Mrs. Talley, the Urban League executive went to the street to await the arrival of the police. While there several white people going in the place recognized Talley and spoke to him.

## RYAN RILED

Ryan is said to have become enraged and charged out into the street claiming that Talley was interfering with his guests. The white patrons denied this. Shortly after 10 p.m. Detective Carl A. Salaba appeared on the scene. Upon hearing the story the so-called double play started. He advised Talley to see the county attorney in the morning. Talley was unable to see the county attorney but an assistant, John Frank. Frank said his office could do anything a statement would have to be obtained from the restaurant owner.

Now the NAACP, the St. Paul Council of Human Relations and the Governor's Interracial Commission. Who else will be apprised of the incident is not known.



# Roller Rink in Omaha Unhappily Admits Negroes

Omaha, Nebr.—Negroes were admitted recently to the Crosstown Skating Rink, 24th and Leavenworth, ending a years campaign by the DePorres Club.

Admitted were: Pat Duncan, 221 N. 20th St.; Maretta Bronson, 2514 Decatur St.; Mr. and Mrs. Hopie and Naomi Bronson 3228 N. 27 Ave.; and Denny Holland, DePorres club president.

The DePorres club president reported that when he saw Rob-Ralph Fox, rink manager he offered him assistance of the club in working out integration there and congratulated him for doing the democratic thing.

He said Fox replied, "Democratic hell, you forced us to do this, and that's not democracy." You know you caused us to lose an awful lot of money but you don't care. We're not satisfied this will work, but you've forced us to try it."

A DePorres club spokesman said, "Fox could have avoided the loss of an awful lot of money if he would have been willing to change his policy." "We spent two months of meeting with him trying to persuade him to." "He forced us."

He said the group stands ready to assist with the integration it "forced" Fox to try, but will be ever vigilant to see Crosstown doesn't go back to its old ways.

The group last Tuesday night reported the other skaters paid little attention to the mixed group. There was no incidents of unfriendliness reported.

Mr. Fox had previously contended he could not admit Negroes because his white customers would leave in such large numbers he would lose money.

Fox, two weeks ago, paid a \$25 fine for denying a group of DePorres Club members admittance after the case had come up three times in Municipal Court and three times in District court.



# 'Lost Boundaries' Doctor Is Fired

KEENE, N. H.—The feeling of insecurity which grips most Negroes who feel that they are not wanted has finally caught up with Dr. Albert C. Johnson, 52, local radiologist, whose family has been publicized all over the world as the famous "Lost Boundaries" clan.

Dr. Johnson was fired from his job here last week, and commensurate with his dismissal charged that someone had been out to get him ever since the news was published to the effect that he and his family were Negroes.

He declared, with a touch of ironic bitterness in his voice, that "someone was sniffing me and they were sniffing me shortly after the information got out that I was a Negro."

DR. JOHNSON has been requested by the board of trustees at the Elliot Community Hospital to leave his job because of the alleged neglect of duties.

According to Chester Kingsbury, president of the board at the hospital, Dr. Johnson's race did not influence in any way the board's decision.

Both Dr. Johnson, and his wife, fair-skinned, arrived in this city in 1940. The physician charged that the hospital objected to the attention he gave to his private practice and declared that he was "overworked" adding that "a sense of duty" had kept him at his post all of this time.

He told the press, "I came as a radiologist to Keene in 1940 on a full-time basis and built the department up five-fold in seven years. In early 1947 I let my children know their racial identity and they in turn told their many friends who in turn told companions, and eventually the news got around the community.

"Up until this time my relations with the hospital and doctors at the hospital were excellent."

THE MEDIC asserted that

he had been told in Boston, during two meetings of radiologists, that the hospital was seeking a replacement for him. He said that he confronted the trustees with the story, but that they denied it.

He said, "But I knew different because my sources were of unimpeachable integrity. Naturally, I felt insecure, and decided I better set up a private office for my self-protection."

"This infuriated them and they immediately discharged me. But when they found they could get no other radiologist to come in under the circumstances they asked me to work on a day-by-day basis until they could get a replacement."

"They could find nobody, so in April of the next year (1950) we signed a contract under which I would cover and also do my own work at my office."

"AT THE end of the year of the contract they did not renew it and notified me again that I was on a day-by-day basis, and as soon as they could find a replacement I was through."

"In the two years elapsed since then no radiologist would come into Keene under the circumstances, so I was notified my services were terminated as of July 5."

Mr. Kingsbury denied that the trustees had become "infuriated" over Dr. Johnson's private practice and rapped the latter's statement to the effect that the X-ray department had been built up five-fold.

Mr. Kingsbury said that according to the records the department handled 2,925 X-ray procedures in 1941, rose to 4,915 in 1947, and at the end of 1952 had declined to 2,930.

THE BOARD chairman asserted that the hospital did not expect to have any trouble finding a replacement.

"We had fifteen to twenty

applicants come to us for the job, but all talked with Dr. Johnson after seeing us and went back without taking the job. We found out that medical ethics do not allow a physician to apply for a job which is already filled by another doctor."

Mr. Kingsbury claimed that the only bone of contention was the amount of time that Dr. Johnson had "devoted to hospital procedures."

Dr. Johnson's life was the basis for the filming of the "Lost Boundaries" story.



# Editorials

## Patterson shows the way

## Reveals Negro Treated Worst in N. J. Town

NUTLEY, N. J. — (ANP) — Negroes had supervisory places in one. This 30,000 population town decided last week, to take stock and see how it stood in the matter of discriminatory practices. When the final results were in, as usual, the Negro was the low man on the totem pole.

Participating organizations, including the Knights of Columbus, the Catholic Daughters, the League of Women Voters, the Human Relations Council, the Ministerial Association and the Sisterhood of Temple B'nai Israel, covered housing, employment, education, health and welfare, public accommodations and recreation. Discrimination was noted among Nutley's Negroes in some of those areas, although the report emphasized that "democratic practices were" general in other areas.

The clearly defined evidence of discrimination against Negroes was found in housing, the report said. The committee found "a tacit understanding among white owners and real estate brokers against sales of homes to Negroes in white neighborhoods. The principal reasons cited in defense of this policy, it reported, were that 'property would depreciate and that neighbors and competing realtors would object.'"

Eight of 10 apartment house superintendents interviewed admitted a "firm policy against renting to Negroes." One was "careful about renting to Jews." Another said the apartment once had an "Italian-American" tenant, but that "no firm policy was followed with regard to that racial group."

In veterans' housing the committee found "complete segregation" of whites and Negroes. But, the committee added, Negroes were treated with "complete equality in the financing of homes and were charged the same interest rates as whites."

In the field of education, the committee found members of all minority groups on athletic teams and musical organizations and widely represented in all students in junior high and high schools "are not well integrated."

Of 19 concerns in Nutley employing six to 100 persons, 17 hired Italian-Americans, 10 employed Negroes and 13 accepted Jews.

A year ago, officials of privately operated swimming pools in Paterson admitted only white people to their facilities. They ignored pleas by city commissioners, community leaders, the Division Against Discrimination and liberal forces to drop the color bar.

They repeated the old alibi that the pools were operated by "private clubs" for the exclusive use of their members.

But the forces of liberalism, human decency and enlightened Christian action moved in unison to erase this blot of wanton discrimination in recreation from the city's good name.

Last November, the voters overwhelmingly supported the appeals of these forces by approving construction of a municipal swimming pool to be operated for all citizens regardless of race, nationality or religion.

The apostles of intolerance who operated private swimming pools were routed completely last week when city officials, led by Mayor Lester F. Titus, dedicated the Paterson Memorial Pool—formerly the Circle Pool which maintained a color bar—in which those who led the anti-discrimination fight participated.

City Commissioner John S. Lacy, chairman of the Paterson Human Relations Committee, said:

"This pool was born because of the need for such recreational facilities free of segregation, intolerance and discrimination . . . Now that the city is operating these facilities, our children will swim together, play together and laugh together regardless of their nationality, race or their creed."

The Paterson municipal pool is much more than a memorial to that city's war veterans—it is a lighthouse for those whose fear of democracy and brotherhood in action is dictated primarily by a warped mentality, the by-product of mis-education and social darkness.

It is also another inspiring demonstration of how effectively government officials and community leaders with character and integrity can vanquish bigotry and intolerance through team work.

When the pool opened for the first time on August 1 under municipal supervision, 562 citizens of many races, creeds and nationalities, adults and children, "swam together, played together and laughed together."

Here again is proof of an oft-repeated truism—that, left alone by the purveyors of hate, persons of all races, creeds and colors can live, work and play together as neighbors, friends and fellow-employees and adjust their differences and communal problems satisfactorily with a minimum of friction.

We hope many more communities in the Garden State will follow the lead set by Paterson.

Good break for NAACP

With the vacation season fast drawing to a close, we suggest that clubs, organizations, churches and labor unions throughout the state make a liberal contribution to the NAACP fund their first order of business at their first fall meeting.

THE AFRO-AMERICAN Newspapers, Inc., in connection with member papers of the National Newspaper Publishers Association, are giving all-out support to the NAACP's financial efforts.

Please make your contribution (check or money order) payable to the NAACP Legal Fund. Mail or send it TODAY to: The Editor, New Jersey AFRO-AMERICAN, 123 W. Kinney st., Newark 3, N.J.

Jerseyans of many races, creeds and nationalities have always contributed generously to financial appeals by the NAACP resulting in some historic civil rights decisions by the Supreme Court that have benefitted all citizens.

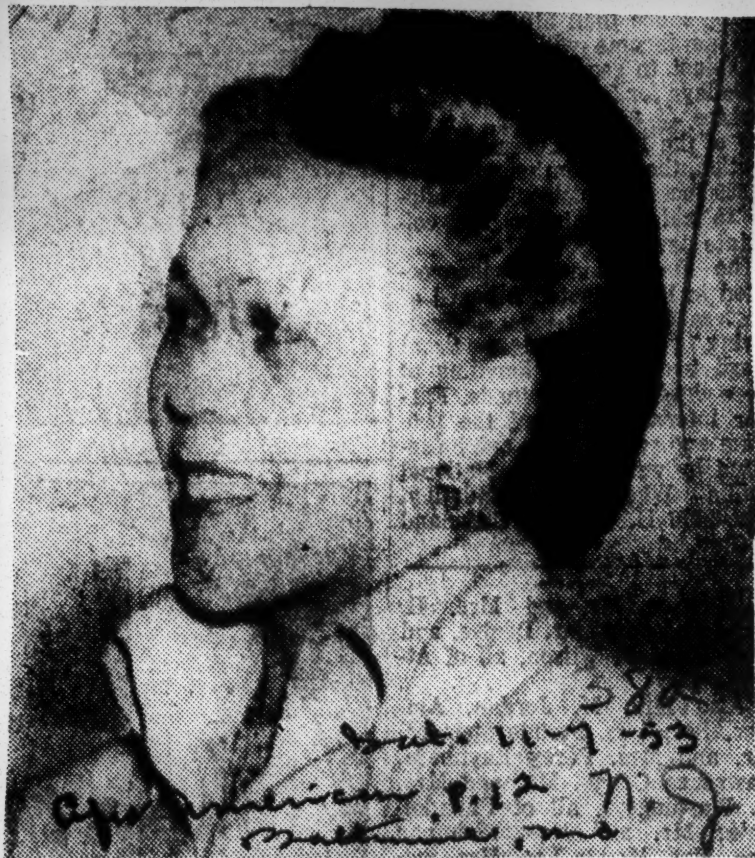
We are confident, therefore, that they will give greater attention to the NAACP's nationwide drive to raise a legal fund of almost \$50,000, to be used primarily for extensive research and filing of briefs in rearguing the five school segregation cases before the Supreme Court.

At the request of Attorney General Herbert Bownell Jr., the Supreme Court has postponed reargument from October 12 to December 7—a good break for the association.

Headed by Thurgood Marshall, seven lawyers, two from Washington, two from Delaware, and one each from Virginia and Kansas, voluntarily cancelled their family vacation plans when the October 12 date was set because of the transcendent importance of the cases.

Lest up keep faith with them. Send your \$1 or more to the fund to this newspaper NOW to be added to the contributions we have already received and forwarded to the NAACP in New York.





MRS. GENEVA K. VALENTINE

Businesswomen's prexy resents Atlantic City's sham democracy

## WOMEN URGED TO FIGHT:

# N.J. hotelmen's racism angers Mrs. Valentine

ATLANTIC CITY, N.J.—Contrasting the hospitality offered the National Baptist Convention and the National Colored Insurance Association's meetings in Miami, Fla., the heart of the Deep South, with the chill with which the 18th annual meeting of the National Association of Colored Business and Professional Women's Club was received by wite hotel operators here last week, Mrs. Geneva K. Valentine, president of the group, departed from her original prepared speech her Fridav and verbally flayed racism rampant in New Jersey.

Delegates to both the conventions in Florida got first-class accommodations from the hotels of that city, it was pointed out, while in the "Playground of the Nation," Atlantic City, doors were almost universally closed to the women attending the sessions held at the War Memorial hall and the Stanley Homes village.

### 'Out Of Deep Emotion'

Speaking with marked indignation, Mrs. Valentine called upon the delegates to the convention to urge their memberships to make extended efforts to eradicate segregation and discrimination—everywhere.

She also exhorted them to use the ballot to place qualified per-

sons in positions of public trust and to use their wealth to uproot all forms of prejudice in American life.

Excerpts from her speech follow:

"For once in my life I speak out of deep emotion. As I pen this message I am wrought up to the highest degree, shaking with rage and indignation."

"How can I express the deep feeling of revulsion which it is mine to know?"

"Readying myself for a convention which we had envisioned would, and I pray God will be challenging, fruitful and epoch making, I must take off my kid gloves and put on my boxing gloves—must take off my business suit and

put on my battle togs—must deviate from my business and preparation for my trip to the East—to fight.

"At the behest of the Atlantic City club and the invitation of the mayor, we happily and expectantly refused all other invitations and accepted one to meet in the Playground of the Nation.

### No Hotel Headquarters

"Prior to our executive meeting here in May, we encountered difficulty in securing headquarters for our convention in a hotel. The committee contacted 26 hotels and was turned down. Thereafter they contacted the mayor and other officials. No results.

"When we met here for the executive meeting, I went, in company with the convention chairman and local president, to see the mayor. His Honor presented me the Key to the City. A key to a closed city. What a farce.

"We got no help anywhere and settled for what we could get—meeting here and there; an organization of business and professional women with no place to go. While our indignation knew no bounds, we did not want, after 18 years, to withdraw our convention from the place where the organization was conceived—from the club which had just returned.

### Democracy's Skirts Dirty

"We could not envision other difficulties. A concerted, diabolical scheme by the hotels to refuse accommodations to American citizens, loyal Americans citizens.

"Can you imagine my embarrassment when I had to write Mrs. Mau, our German guest and admit the segregated policies of an American city in this 20th century?

"Can you understand how, a German woman, visiting America for the first time can secure accommodations in any hotel of her choice and you, and you and you are denied that right?

"Are you going to stand by and accept such an insult?

### Flings Challenge

"What are we going to do? You are faced with a great challenge. You have got to do something about our country—you have a stake in it. You have got to do something about it. You and I, you and I, we must save it."



# Physician African-American Latest Victim

## Of Storkitis

Reservations Given

Rejected When Race

Identity Is Disclosed

NEW YORK—Dr. Edward C. Broomes last week filed a complaint with the State Commission Against Discrimination against the Stork Club, charging that the club had violated the state civil rights law.

By DR. E. L. C. BROOMES

Until last night (Jan. 1, 1953), I like many other Americans had felt her outcry against the Stork club two years ago, was perhaps merely the dramatic outburst of a hypersensitive prima donna.

But, after having myself suffered acute humiliation at the club, I am now willing to declare, that Miss Baker should have been complimented on the restraint and dignified conservatism she exercised when describing the attitude of the management.

Clearly Sees The Light

I can now understand why the better informed colored people, who had been up to that time, among the warmest admirers and supporters of Walter Winchell, turned from him in revulsion, when they perceived that their "hero," who for years had featured himself as a fiery evangelist of democracy, championing the cause of colored in the South against the evils of discrimination, would readily compromise his principles, and by his silence give tacit approval and support of similar practices when committed in his presence, in the Stork club.

Now I can see why they still regard with scorn and contempt the few misguided persons, who calling themselves "leaders," either from ignorance of the facts, in which case they might be excused, or from abject idolatry, which would then be both contemptible and indefensible, rushed headlong to join

Winchell in his vituperative attack on a member of their own race, whose only fault apparently was that she had the dignity and courage to demand that she be paid the same courtesy and respect in the Stork club, as is guaranteed by the City of New York to every human being.

On New Year's Day, at about 1 p.m., I phoned the Stork club, to inquire about reservations. I was told that these were available, and that if I would state the time I expected to be at the club, a table would be waiting for my party.

On further inquiry I was informed that the cover charge was three dollars, and that formal dress attire was not required. My reservation was accepted for 9:30 p.m. January 1.

When my party appeared at the club at the stated time, the manager (or some one else who appeared to be in charge), appeared to be nonplussed at the fact that we were colored.

Dr. Broomes, of East Chicago, Ind., was accompanied by his wife, his mother-in-law, Mrs. Juanita Brown, and Dr. and Mrs. Alexander Williams of Gary, Ind.

Ushered To Isolated Room

He started to lift the chair which was stretched across the entrance to the inside of the club, then changing his mind, led us to an elevator and whisked us upstairs to a room which was completely dark, unoccupied and isolated.

Even the lights had to be switched on before we could leave the elevator, then turning to us he blandly said that this is the room in which we must be served, because all the other tables below were occupied. When I protested that the reservation had been made in good faith, in the understanding that we would have been able to enjoy the floor show, since the question of a cover charge had been mentioned at the time the reservation had been made, he replied with a fatuous smile, that such reservations should never have been accepted, since tables were not available.

"Isle Of Hypocrisy"

I called him a liar and left the building. We went to the Latin quarter where we were courteously welcomed, although we had made no reservations there. In my opinion the Stork club (its name should more properly be spelled with a K.) is an "isle of hypocrisy" isolated by its atavism, in the truly democratic and liberal New York.

It is the only public place in the City of New York, where I have been humiliated because of my race. How such a piece of Georgia or Mississippi was allowed to root and sprout in this citadel of human rights, is difficult to understand.

Hides Behind Some Papers

I fully appreciate the fact that the management of the club has at its disposal the support of powerful newspaper columnists, who being in sympathy with the sentiments expressed by its policy of discrimination, would not hesitate to use the might of their pen to attack any one bold enough to denounce the club, but even the likelihood of such an attack is not enough to restrain me from expressing my resentment at the humiliation which my guests and I suffered.

I have investigated the possibilities of a law suit. I was advised that the successful prosecution of such suits were difficult, since shrewd operators, not only had acquainted themselves with all the loopholes of the law, but had also devised certain techniques to protect themselves.



## NEGRO AUTOIST SUES FOR JERSEY LICENSE

Special to THE NEW YORK TIMES.  
ELIZABETH, N. J., Jan. 3—Charging that he had been illegally convicted of drunken driving in South Carolina and that as a result his New Jersey driver's license had been revoked, Lawrence Douglas, a Negro, of 4 Railroad Avenue, Summit, filed notice here today of court action to regain his license.

The notice revealed he would make a motion for a summary judgment next Friday before Superior Court Judge Frank L. Cleary, for restoration of the license. He will tell the court, Mr. Douglas said, that he was "perfectly sober" at the time of his arrest last August at Chester, S. C., that he was convicted without hearing or trial of any kind, and that his request for an examination by a physician was ignored. In an affidavit accompanying the notice, the Summit man said he had been visiting in Chester with his wife at the time of the incident. He was driving home from a church meeting with his wife, he said, when he stopped to enter a house to ask directions. When he returned, he found a police officer standing near his car.

He said he had then been taken to police headquarters, charged with drunken driving and held in jail until the following day when his wife followed police instructions to pay \$55 for his release.

On Oct. 25, Mr. Douglas added, he was notified that his New Jersey license was revoked, the usual procedure followed in cases of out-of-state violations.

## Plenty of Haircuts

### Offered N. Y. Boy

WATERLOO, N. Y., Feb. 27 (AP)—An 8-year-old boy, who a doctor's wife charged couldn't get a haircut here because he is a Negro, had plenty of offers for haircuts today.

Mrs. W. Raymond Holmes wrote a letter to the Waterloo Observer, a weekly newspaper, charging her Negro grandson was turned away "politely" or otherwise by barbers in this village of 4000 residents. Several persons with hair-cutting equipment offered home haircuts. Two barbers from nearby Sampson Air Force Base also volunteered.

## N. Y. Ends Insurance

### Jim Crow

NEW YORK — New York State has eliminated discrimination in premium rates for group life and group health and accident benefit based on color, State Insurance Superintendent Bohlinger disclosed last Monday.

Bohlinger, in a letter to Robert Tilove, state affair chairman of Americans for Democratic Action, said that such discrimination was prohibited under the New York Insurance Law.

"Examination of rate filings covering group life, group accident and health and individual accident and health contracts issued in this state discloses that there are no filings in effect which carry a loading based on color."

Tilove had written Bohlinger that studies made in 1949 and 1949 revealed that insurance companies writing group insurance "loaded" or increased their premium rates for groups which included large numbers of Negroes or other non-whites.

## Negro Charges Mayor Pits Race Against Race

By David McConnell

Assemblyman Hulan E. Jack, Negro Harlem leader, called yesterday on Mayor Vincent R. Impellitteri to cease what he described as a "bigoted attempt to pit race against race" in his campaign to win the Democratic party primary Sept. 15.

In a statement emphasizing the increasing bitterness of the Democratic primary campaign, Mr. Jack, seeking the party's nomination for Manhattan Borough President, charged the Mayor with wooing Negroes with one approach in Harlem and the Jewish vote with another. Mr. Jack said the Mayor was calling himself a "Yeshiva boy" when talking in Manhattan's East Side. The Mayor holds an honorary degree from Yeshiva University, Amsterdam Ave. and 187th St.

Citing recent political talks of the Mayor as the basis of his attack, Mr. Jack told a press conference that Mr. Impellitteri was seeking to turn "race against race, nationality against nationality and religious group against religious group."

### Charges Mayor "Lied"

Mr. Jack accused the Mayor of telling a Negro audience in the Harlem area recently that the Manhattan Democratic organization of Carmine G. DeSapio planned to run a white candidate for Borough President on an independent line. Mr. Jack said that the Mayor "lied callously and he knew it when he suggested it."

The Mayor also was accused by Mr. Jack of first offering the slot of Manhattan Borough President on his slate to Henry Epstein, former Solicitor-General of New York State. When the offer was refused, he said of the Impellitteri forces determined on Chauncey Hooper, Negro attorney and former Army colonel.

Mr. Epstein, at the same press conference, accused the Mayor of "hypocrisy and unconscionable behavior" and confirmed Mr. Jack's assertion that he had been asked by the Mayor to make the Manhattan Borough Presidency race before the Impellitteri forces finally settled

on Mr. Hooper. When he learned that the Mayor was encouraging reports that the Manhattan Democrats planned to sponsor secretly a white man as an independent for the Borough Presidency, Mr. Epstein said: "I felt that I must speak up and inform the public of the sham and deceit which is being practiced by Mr. Impellitteri."

### Maxwell Not Running

Meanwhile, Rear Adm. William S. Maxwell, Ret., a deputy commissioner of the Department of Air Pollution Control, said he definitely had decided not to run as an independent for the Borough Presidency of Manhattan. Adm. Maxwell said that although he had been encouraged to make the race, he had decided against it after receiving a letter from the Harlem Affairs Committee, 447 Lenox Ave. He said the letter, signed by Robert W. Justice, chairman, asked him "not to endanger the right of a Negro to participate in the highest body of our city government — the Board of Estimate."

## Cafe Owner Must Face Trial For Practicing Bias

ROCHESTER, N. Y. (SNS)—A city judge has denied motions to dismiss criminal actions against a restaurant owner charged with re-

City Judge Henry Gillette has refused to dismiss charges brought against a restaurant owner charged with refusing to serve a Negro. B. T. Toscano, the restaurateur, by Councilman Leeland N. Jones

The Buffalo councilman charges that Toscano refused to serve him and several companions last July.



# SEGREGATION RISE ON HOUSING CITED

Minorities Are Victims of Bias,  
Conference Is Told and City  
Pattern Spreads Upstate

*P. 312*  
Special to THE NEW YORK TIMES.  
ALBANY, Feb. 10—Housing segregation is on the increase despite a reduction in racial discrimination in education and employment, the fifth annual conference of the New York State Committee on Discrimination in Housing was informed today.

While the worst discrimination in the state and the greatest compression of Negroes, Puerto Ricans and other minorities into segregated, unsafe housing is in New York City slums, the same pattern is spreading rapidly upstate. Negro population has doubled while housing has remained static, 150 delegates to the conference were told.

Algernon D. Black, chairman of the committee, said the former "democratic slums" upstate, where poor whites and Negroes lived next door to each other, was no longer true.

"These slums are following the New York City pattern of black belts and segregated districts with all their ugly implications," he declared. "The effect has been a disturbing increase in racial tensions that can erupt into violence and physical strife."

Ira S. Robbins, executive vice president of the Citizens Housing and Planning Council of New York City and former acting State Commissioner of Housing, said the failure of the city to face squarely the problem of providing decent housing for minorities was rapidly reaching crisis proportions.

Continued discrimination and segregation, he predicted, will bring large-scale slum clearance to a halt. He asserted that exclusion policies were partly responsible for the accelerating rate at which neighborhoods were deteriorating. He cited the Manhattan West Side from Seventy-second to 110th Street as one of a dozen similar neighborhoods "struggling for survival."

Mr. Robbins criticized the Mayor's Committee on Unity and similar groups as "convenient repositories where troublesome issues can be bottled up."

Clarence Livermore, director of Buffalo's Board of Community Relations, said research had proved that the worth of property in mixed

neighborhoods tended to increase when not accompanied by an initial wave of "distress selling."

The conference endorsed the Metcalf-Jack Bill proposing a joint legislative committee to investigate the extent and dangers of segregated housing.

## Negro Family Still In Knickerbocker Area

*Black*  
NEW YORK — (ANP) — A Negro family still is living in Knickerbocker Village, despite efforts to remove it.

The family, evicted from its apartment of a white friend the next day. Edward Strickland, 22, and his wife, Carmen, 27, were evicted after a year-long court fight against Knickerbocker Village, Inc., owners of the Manhattan property and the Fred F. French management company.

The courts held that they occupied their apartment under an illegal sublease.

The Stricklands immediately moved into the apartment of Mr. and Mrs. Samuel Kaserman. Sidney White, acting president of the executive board of the Knickerbocker Village Tenants Association, said they would remain there while "we continue to fight for an apartment for them, either in Knickerbocker Village or in some comparable development."



## MEMBERS OF STATE BODY:

# Segregate nurses at annual dinner

DURHAM, N.C. (ANP) — Colored nurses, members of the N.C. State Nurses Association, still are subjected to subtle forms of discrimination here.

Those feeling the sting are former members of the disbanded state organization of the National Association of Colored Graduate Nurses.

The colored group was disbanded on a national basis after the American Nurses' Association persuaded the states which had separate groups to accept all nurses into membership.

## Not Accomplished Fact

Integration, however, even in the comparatively liberal state of North Carolina can hardly be considered a wholly accomplished fact.

The colored nurses are able to attend the annual meetings although they as yet do not hold office nor do they seem, according to some, to find that total "professional communion."

For example, the arrangements for the dinner this year did not have the colored nurses sitting with their white sister members.

## Not Permitted Equality

Instead, they were forced to dine on a nearby balcony in the same hotel.

They were close enough to hear the guest speaker expound on the virtues of democracy, but they did not mingle with the white members at the dinner.

The situation was highlighted by the fact that perhaps the

most distinguished member of the organization from the standpoint of personal achievement is a colored nurse, Lt. Col. Mary Mills.

Miss Mills who has been in the foreign service of the United States Public Health Service for nearly 10 years, established the first nurse training school under American auspices in Liberia. She is now engaged in develop-

ing similar work in Beirut, Lebanon.

## Contribution Turned Down

An active member of the N.C. State Association, Col. Mills sent a contribution of \$25 from her foreign post to the president of the association.

She stipulated the money was to go toward the expense of the dinner but only in case the entire group could sit down together.

Her check was returned with the suggestion that it be donated toward some specific committee of the organization.

Col. Mills instead sent it to the president of the American Nurses Association along with copies of her correspondence with the group in North Carolina.

She also wrote the North Carolina organization suggesting that all formal activities in which the entire membership is involved, but at the present not included, be discontinued until such time as the group is really ready for integration.

## N. Carolina Group Put In Balcony

DURHAM, N. C. (ANP) —

Although Negro nurses now belong to the North Carolina State Nurses Association and the former state organization of the National Association of Colored Graduate Nurses is no more, colored nurses still are subjected to subtle forms of discrimination here.

The colored group was disbanded on a national basis after the

American Nurses' Association persuaded the states which had separate groups to accept Negro nurses into membership. Integration, however, even in the comparatively liberal state of North Carolina can hardly be considered a wholly accomplished fact.

The colored nurses are able to attend the annual meetings although they as yet do not hold office nor do they seem, according to some, to find that total "professional communion." These observers expect progress to come in time, but the time has not yet arrived.



## Falls To Act On Proposed Anti-Bias Law

By VERNON JARRETT

CINCINNATI, Ohio. — (ANP) —

The city council has flashed the green light to lily white amusement parks despite militant opposition from Negro Councilman Theodore Berry, the Mayor's Friendly Relations committee, and a roster of civic and religious leaders.

The council voted to postpone "indefinitely" immediate action on an ordinance to "Modify Regulations Governing Amusement Parks," following a pro-jim-crow report from the council's Law committee. Earlier a minority report submitted by Berry was trampled, 6-2, with one absent.

Prior to the telltale vote on the minority report, the council and a packed house heard Berry charge the law committee with evasive and undemocratic methods.

Berry charged that a decision to table the matter was not reached by the full committee and that he gained knowledge of the majority report through a "member of the press." The ordinance was introduced and referred to the committee last October.

The council's pat on the back of segregation flouts the State Civil Rights law (Ohio General Code, Section 12940) and is a "slap in the face of Cincinnati's Negro community."

Negroes comprise 15 per cent of the city's total population and have developed a new ballot consciousness during the past decade.

The civil rights fight stems from the "white-only" policy of the Coney Island amusement park, which is licensed by the city. The proposed ordinance would force all such parks to observe the policy of the Ohio Civil Rights law, under penalty of suspension and revocation of license.

Cleveland enacted a similar ordinance in 1947 and Toledo followed suit in 1948. Both have proven satisfactory, Berry declared.

The councilman pointed out that every "conciliatory means" had been employed to secure co-operation from Coney Island, which has stood as a symbol of Cincinnati jim-crow since 1946. Last June, Berry asked Coney Island president, Edeard L. Schott, to meet with a citizens committee to discuss the matter. Schott declined the invitation.

## Coney Island Bars Negroes; Maestro Against Snobbery

CINCINNATI, Ohio — **Racist Attacks Continue**

Stan Kenton, popular orchestra leader who has just completed an engagement at Coney Island, expressed puzzlement when informed that the privately owned, city licensed spot could maintain a discriminatory policy.

Quoted in one of the city's daily papers as being opposed to snobbery, Kenton was asked if he was aware of Coney Island's discriminatory admittance policy. Negroes are not permitted at Coney Island.

"Yes, I am much aware of the fact that I am playing in a controversial spot," said Kenton, "I realize it more this year than I did last year."

Kenton went on to say that it was regrettable that such discrimination exists. He pointed out that since Coney Island is privately owned he knew of nothing which could be done about it for the time being. He was surprised to learn, however, that the park received its license from the city and also that the city collected taxes from Coney Island.

## Bomb Rocks Cleveland Club In Fourth Racial Incident

By GEORGE J. DUNMORE

CLEVELAND — The recent

switch in policy of the Play Bar, an East Side bar and lounge to one encouraging "black-and-tan" trade through the use of a Negro staff and entertainers was seen as the reason behind Thursday night's bombing of the night spot which is directly across the street from the Towne Casino, scene of two similar bombings in the past four months.

The bombing occurred five minutes after Deputy Police Inspector Richard Wagner had left the night spot following an introductory visit to bars in the district.

Inspector Wagner had been transferred to the Fifth District on Monday from a West Side District following last week's wholesale shakeup of the Police Department.

WAGNER was two doors away preparing to enter an adjoining bar when the blast was heard.

The bomb plot was similar to the two prior attempts against the neighbor spot, the Towne Casino. The two attempts against the Casino were on March 10 and May 28.

In all three instances and in another attempt against two houses owned by Negroes in the exclusive Wade Park area less than a mile away, homemade bombs, consisting mainly of three to four sticks of dynamite were used.

ON MARCH 10, when trumpeter Louis Armstrong was entertaining at the Casino, a bomb was exploded on the club's front walk early in the morning long after the spot was closed, but caused no serious damage.

On May 28, a bomb was either thrown from a nearby alley or

placed by hand on the roof of a party room in the rear of the Casino, the Coconut Grove.

Fortunately, no one was in the room at the time and damage was confined to property losses as the explosion ripped a hole in the roof of the room.

Approximately sixty patrons assembled in the outer lounge were panic-stricken and rushed to the street in alarm. However, it was learned this week that business has fallen off at the Casino, believed by many to be the city's top club extending a welcome to Negroes, following the last bombing attempt.

THE MAY 28 bombing was closely associated with the Thursday night bombing in that the target was a rear party room which was empty at the time, the bomb was believed tossed from an alley, the time chosen was one at which the party room if in use would have been filled with patrons (11:20 P. M.), patrons in the outer part of the bar ran to the street, a dynamite stick bomb was used and damage was confined to a damaged roof with police estimating the loss at \$1,000.

The owner of the club at 10602 Euclid told police that the policy of the bar changed a few weeks ago following a change in ownership. The change, he said, was made in an attempt to pick up additional revenue.

Police said a special guard had been placed in the bar following anonymous tips to police and the owner which warned that the place would be "stink-bombed." Inspector Wagner had questioned the owner about this when he visited the club, but had been told by the owner that he expected no trouble.

THE PLAY BAR got into the news shortly after its change in policy when state liquor agents

cited the bar for alleged "indecent and obscene entertainment."

At that time some persons felt that this complaint was placed against the club because of displeasure at the club's adoption of an open door policy as the entertainment cited had been used in numerous spots before and up until that date had not been complained about.

## Cafe Bars And Serves Mrs. Basie

COLUMBUS, Ohio — When Mrs. Catherine Basie, wife of the famous orchestra leader, Count Basie, stopped at the Main-James restaurant for food recently, she was informed the establishment was closed.

Mrs. Basie was en route from California to New York and was stopping at a motel in the area. She was accompanied by her daughter and maid.

Police informed Mrs. Basie they could do nothing if the place was closed. A little later, across the street from the restaurant, the band leader's wife noticed the restaurant was open and doing business as usual.

She called her cousin, Mrs. Estella Giles, who referred her to Barbee William Durham, executive secretary of the Columbus NAACP.

Although it was past midnight, Durham and his wife dressed and went out to talk with Mrs. Basie. Later, accompanied by the NAACP officials, Mrs. Basie re-entered the restaurant to find a decided change. The group was given good service.



# THURGOOD MARSHALL'S NAME WORKS MAGIC IN MUNICIPAL AIRPORT CAFETERIA FOR NEGRO

*Black Dispatch P. 1*  
City Matron Finally Gets Courteous Service  
When Companion Refers to NAACP.  
*Cheney*  
MRS. NONA BUTLER TELLS EXCITING  
STORY.

The name "Thurgood Marshall" has magic influence at the Municipal Airport, according to Mrs. Nona Butler, member of the executive committee of the Oklahoma City branch of the NAACP, who resides at 1129 N. E. 6th, who in company with Miss Florence Pittman, went into the airport restaurant last Wednesday morning for breakfast while awaiting the arrival of Miss Helen Holmes, who was scheduled to arrive from Tokyo.

"We did not get breakfast immediately" said Mrs. Butler, Tuesday of this week when she related her experience at the airport, and it did not look like anyone was going to pay much attention to us until Miss Pittman injected Atty. Marshall's name into the colloquy we were having with the recalcitrant restaurant manager" said Mrs. Butler.

"The plane was late so Miss Pittman and I decided we would eat, and entered the cafe, sitting down at the snack bar" said Mrs. Butler.

"The waitresses passed us up for perhaps ten minutes, when finally, one approached and said: 'We cannot feed you unless you come back in the kitchen where we feed the help'" said the N. A. A. C. P. official.

"Why I don't work here and am certainly not an employee. I'm a customer asking for a meal and I do not expect to eat in the kitchen" Mrs. Butler says she told the waitress.

"Who gave you orders not to serve us" queried Mrs. Butler. The waitress then said the manager had told her and asked Mrs. Butler to come back in the kitchen and talk with the manager.

*Black*  
"If the manager has some information I wishes to convey to

Mrs. Butler said Miss Pittman, during the long controversy with the manager, just happened to recall that shortly following the national meeting here last year Atty. Marshall held a conference with the airport restaurant manager, during which time this official said it as the policy of the restaurant to feed Negro patrons."

"Recalling that conversation really in its truest sense brought the breakfast bacon home" said Mrs. Butler.

a customer, I think she should come out here and tell me direct. I do not plan to go in the kitchen to talk with her" said Mrs. Butler.

*Oct. 11-28-53*  
The doughty little Mrs. Butler said she and her associate sat at the counter for fully ten minutes, when coming up from the rear a lady, who said she was the manager, in a low voice told them she could not serve them at the counter because of a state law.

"I know of a law separating Negroes in schools and on trains but I know of none separating Negroes in cafe's" said the obdurate Mrs. Butler. "I'd like for you to show me that written status" she continued.

The manager said she did not have it in the restaurant but that she had it at home.

Just about this time Miss Pittman, who had had nothing to say up to this point, interjected this pointed statement:

"Well, if you do not feed Negroes in this restaurant, why did you tell Thurgood Marshall when he came out here to see you about it that you did serve our people?"

"Waitress", said the excited manager, "Oh, waitress", come here and serve these two ladies."

"The waitress immediately came forward and requested what service was required, and without further ado, we were fed at the counter and when we had concluded our meal the waitress thanked us and asked we return."



## Oregon Anti-Bias Law Becomes Official

Portland, Ore.—(ANP)—Four days before the Oregon civil rights act was scheduled to become effective, the Rev. Martin Luther King, Jr., of Portland, white leader of the anti-civil rights "Civil Freedom Committee" announced that this effort to postpone the law via referendum petition had ended in failure. Today the act is law.

## Oregon Cafes Comply With Rights Law

PORTLAND, Ore.—Proprietors of restaurants and amusement places in Oregon are complying with the state's new civil rights law, according to the local Urban League.

No serious incidents have been reported and no damage suits have been filed in the two months since the law became effective, John S. Holley, UL secretary, told an audience of some 100 persons at the League's first fall meeting.

The peaceful manner in which integration in public places has come about is in contrast to predictions made by opponents of the law. The opponents said the law would result in a rush of damage suits or a "flocking in" of non-white into establishments where they had previously been excluded.

Some night clubs and beer taverns have shown a reluctance to comply with the spirit of the law, Holley said. Proprietors of these public places have made subtle efforts to discourage Negro patronage, Holley added. However, none of them has acted in open defiance of the law.



## Kink Segregation Bows Out In Philly

PHILADELPHIA — Efforts of the local youth council of the NAACP, the American Civil Liberties Union and other action groups have resulted in the dropping of jim-crow policies by seven of eight local rinks. The rinks have agreed to admit all patrons without regard to race, color, creed or national origin.

# Color Bars Lowered For Lincoln Students

OXFORD, Pa. — A U.S. District judge opened the doors of local theaters to Lincoln University students last Thursday when he restrained the owner of the Oxford Theater from segregating colored patrons and ordered the owner and two policemen to pay damages to four students who were arrested in the theater in 1950.

Federal Judge George A. Welsh handed down his ruling against Joseph P. Crowl, owner of the theater and Officers Townsend P. Cox and H. L. Johnson. Crowl was ordered to pay \$500 damages and the two officers \$50 each.

The four Lincoln students were Jacques Williams, Archibald Seales, Luther Manning and Vernell Dieudonne. "John Doe" warrants, charging disorderly conduct, were issued for their arrest in Jan. 11, 1950 when they refused to move to the segregated section of the theater.

### Invoked Pa. Law

The four students insisted upon their rights under the Pennsylvania Equal Rights Law of 1939 and on this basis the university's student chapter of the NAACP, through its counsel, Theodore Spaulding and James K. Baker of Philadelphia, brought suit in Federal Court asking for damages and an order prohibiting segregation in the theater.

The case was tried last Nov. 3 and Judge Welsh's decision was due last Nov. 24. As it stands now, providing there is no appeal and a subsequent reversal, the decision is tantamount to the destruction of the last segregation barrier faced by Lincoln's colored students since its founding.

Judge Welsh's decision is the first made by a state or federal court in Pennsylvania in which the court has issued an order prohibiting the practice of segregation or discrimination under the state's law.

### No Stand By Board

At no time during the three-year period since the arrest of the students did the Lincoln University board of trustees take a definite stand on the matter.

Members of the board, however, who lived in Oxford Borough resigned when the students were charged.

The case was forced to U.S. District Court because Chester County Grand Jurors, on two occasions, refused to issue indictments against the defendants.

## Cash Awarded Students Jailed By Bias Theatre

PHILADELPHIA — Last week the manager of an Oxford, Pa., motion picture theatre was ordered by the U. S. District Court for the Eastern District of Pa. to pay a total of \$500.00 damages and two police officers were ordered to pay \$50.00 each to three Negroes they arrested for refusing to sit in the theatre's discriminatory practices.

Receiving the damage awards were Luther Manning, Archibald Seales and Vernell Dieudonne who in 1950, while students at Lincoln university, attempted to sit in a section of the Oxford theatre reserved for white patrons. The manager had them arrested by two policemen for refusing to sit in a section set aside for Negroes.

In ordering the manager and the two police officers to pay damages to the students, the court ordered the theatre to refrain from interfering with their rights under the Pennsylvania Civil Rights Law to sit in any portion of the theatre open to the public.

At the conclusion of its opinion, the court states:

"Let us hope that a larger measure of toleration all around, permitting the working out of the law of affinity which generally associates persons together as individuals and groups will produce a better understanding and greater goodwill than compulsion based merely on the pigment under the skin or on the creed or nationality."

This case was instituted in Federal Court by the Lincoln University College Chapter of the National Association for the Advancement of Colored People and was tried on November 3, 1952 by NAACP attorney, James K. Baker of Philadelphia.

## Biased Theater Must Pay \$500 For Barring Two

### Has Support of Gov. Stratton

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"Anti-Negro Fund"**Dismissal Of  
College Prexy  
Asked By City**

DEMOREST, Ga. — A resolution calling on the trustees to oust Dr. James E. Walter as president of Piedmont College was disclosed here Wednesday. It was passed unanimously by the mayor and city council on May 5.

President Walter has been a target of sharp criticism from local citizens, the alumni and other groups since he accepted a \$500-a-month grant from the Texas Education Association and his policies have caused controversies during the past four years.

The TEA is headed by George Armstrong Texas millionaire, who previously offered money to a small Mississippi College which refused the grant because of anti-Semitic and anti-Negro views expressed by the donor.

**CHANGE ESSENTIAL**

The resolution requesting the removal of Dr. Walter declared: "A radical change in the personnel directing Piedmont College is essential." Signed by Demorest Mayor John Bolling and Mayor Pro Tem Frank Nelms, the resolution referred to past difficulties at the college.

President Walter said the resolution resulted from personal bitterness against him by Mayor Pro Tem Nelms.

"This is just a way of protesting the dismissal of two friends of Mr. Nelms from the faculty," he asserted. He said he was referring to the firing in February of Rev. Charles O. Erickson, college chaplain, and Richard Drake, Erickson's brother-in-law, for opposing his policies.

Dr. Walter said the resolution, which was sent to each member of the college's board of trustees, would not affect "my intention to remain with the college."

Nelms said Wednesday the loss of students, the great turnover of faculty members and the resultant 'bad publicity' for the school convinced the Demorest City Council that "Walter must leave or we will lose the college."

President Walter defended his administration by saying the institution was in debt when he took

office and now was operating on a balanced budget.

"Our enrollment is satisfactory," he added. "We now have 250 students despite a sharp drop in the number of veterans attending college."

He maintains that the TEA funds which the college is still accepting, has no strings attached. He charged that his opposition stems principally "from persons who have done little or nothing to help the college."

PIEDMONT COLLEGE

Accepts \$500 per month for (Anti-Semitic and Anti-Negro Views)



# Rhode Island FEPC Commission Reports Decline In Race Bias

Many Changes Cited

By Group In Report

On Discrimination

PROVIDENCE, R. I. — (ANP) — Although this report shows a slight decline in discrimination, there is no cause for complacency, the Rhode Island Commission Against Discrimination declared last week in its statement of progress.

According to the report, the past 3½ years have witnessed many changes for improvement in the field of employment.

In the words of the commission: "An ever increasing number of employers are displaying a willingness to hire persons of all races, religions, and nationalities, and are expanding the types of jobs available to them. Members of minority groups are enjoying a broad extension of economic opportunities. An exact determination of the progress is not within the power of assessment; but a fair appraisal can be based on the public statements of recognized leaders of the colored minority that they are, for the first time in memory, experiencing difficulty in filling job requests for positions of above average level."

This is an encouraging advancement as it serves as a great stimulant for them to seek advanced education and training to become equipped for positions that, prior to this enactment, were denied the members of their race or color. At a time when there is a labor surplus in this area, this is a truly encouraging advancement.

"There remains room for much improvement and continued emphasis will be placed on it through immediate action on all cases reported. Field visits and conferences with representatives of business, industry, labor and employees referral sources will continue."

The commission reported that it has taken preventive steps to eliminate steps to eliminate discrimination and segregation in all places of

public accommodation in Rhode Island.

"As a result of this alert action," it is asserted, "unlawful practices have been considerably decreased and minority group members can now expect to receive equal treatment and service in hotels, restaurants, summer resort, taverns, tourist establishments, theatres, and all other places of public patronage."

"Hotels and restaurants, particularly, which previously restricted reservations and service to patrons of their own selection agreed to amend their policies and extend facilities and a service to all persons."

In public housing, the commission reported that during the eight months the state law eliminating discrimination and segregation in public housing has been on the books conferences have been held with members of public housing authorities "to effect the necessary transition as early as possible."

Its efforts are directed toward the elimination of all inquiries concerning race or color, religion and nationality from application forms and requiring that the applications of all persons filed solely according to need. The commissioner states its housing goals as follows:

"Previously existing policies of segregating colored families must be discarded and segregated sections must be eliminated to meet the satisfaction of the commission. The final objective of the commission is to bring to reality, without undue delay, a policy of complete integration in the occupancy of all public housing projects throughout the entire state. The commission feels that within the coming year segregated patterns will have been completely eliminated and that all persons, irrespective of color, will enjoy true equality in the area of public housing."

On unfair employment practices the commission noted a slight decline in the cases reported during the year 1952 compared with the year 1951.

Statistical data revealed that Negroes constituted the past majority of persons reporting unlawful discrimination with respect to employment referrals.



## Mrs. Franklin D. Roosevelt Introduced By Mrs. Morris



Mrs. Eleanor Roosevelt, widow of the late President Franklin D. Roosevelt, spoke in Des Moines Tuesday on the subjects of "Human Rights" and the "United Nations." A former delegate to the United Nations, Mrs. Roosevelt is shown as she greeted Mrs. James B. Morris (left) who presented her to approximately 400 guests who attended the Human Rights Week noon luncheon meeting with the Junior Chamber of Commerce at Savery hotel.

Mrs. Morris, president-emeritus of the Iowa Conference Branches of the NAACP, introduced Mrs. Roosevelt as "the first lady of the world,—a great humanitarian, writer, traveler, lecturer who "preaches and practices democracy at home and abroad."

Mrs. Roosevelt was telling Mrs.

Morris how much "I liked your introduction" when the two were photographed. Mrs. Morris who is active in many civic affairs in Des Moines, is wife of the editor and publisher of the Iowa Bystander. Tuesday evening, Mrs. Roosevelt addressed an overflow audience of 3,000 persons at the University Church of Christ, where she spoke on the United Nations.

## MRS. FDR SAYS:

## Reading the Bible Is Rewarding Experience

By ELEANOR ROOSEVELT

NEW YORK—Last week was National Bible Week and the laymen's national committee chose a fitting slogan for the year. "The Bible — The Key to Peace." The purpose of this Bible week is really to start a campaign to encourage the study of the Bible. It should have the effect of making all of us read our Bibles more frequently.



Mrs. Roosevelt

told her family she should see this play and they went. Knowing only that Paul Robeson was a Negro singer, they expected a Negro minstrel show. The teacher had forgotten to mention that Othello was written by Shakespeare and should be seen as part of the literature course which the child was taking.

The family was outraged at the story and felt it should not be allowed to appear on the stage and finally decided that only Mrs. Roosevelt could have thought up such an outrageous play!

When we were children, most of us were told Bible stories. I can remember now some of the pictures which held my attention while the stories were being read. These stories in adult form are all in the Bible.

The value of reading them in the Bible is that we accustom ourselves to the beautiful English of the Bible. Some of the men who have used in their speeches the most beautiful English attribute it to the fact that they really knew their Bibles well, so the form is important as well as the substance of what we read.

I have found through the years that reading and re-reading great literature, and the Bible is certainly that, is a very rewarding occupation. For each time you re-read you discover some new meaning or some new beauty that you did not realize before.

★ ★ ★

I heard an amusing story the other day which illustrates how often we take too much for granted in our hearers! A teacher told her students to go and see Paul Robeson many years ago, when he was playing in "Othello."

The child went home and

This tale amused me a great deal, for I would be happy if I could write like Shakespeare. It shows, however, how easily, without knowledge, one can bring together one's pet hates and feel satisfaction that the person disliked can be blamed for whatever else one dislikes.

★ ★ ★

The United Nations service at Christ Church Methodist here in New York City was a memorable occasion, and the UN prayer set to music by Russel Bennett is a really beautiful thing. I hope it will not only go overseas on the Voice of America, but become well known in this country.



**WLW-A FEATURE TONIGHT**

## Talmadge in Telecast Of Segregation Debate

Gov. Herman Talmadge will appear on another nationwide telecast tonight in Washington when he discusses the issue of "Segregation in the South" on the special events program, The Big Issue, at 8:30 p.m. on WLW-A.

The governor will take the stand that racial segregation should be continued in the South. Opposing him will be Aubrey Williams, of Montgomery, Ala., editor of a farm publication and long time friend of Henry Wallace.

Talmadge and Williams will be interviewed by Ken Turner, Washington correspondent of the Atlanta Journal; Lawrence Spivak, originator of Meet the Press and other television public events programs; Mary Ashley Sellers, Washington attorney; Walter Shine, former Justice department attorney, and Jiggs Donohue, former Commissioner of the District of Columbia.

The Big Issue is not usually carried on the WLW-A schedule, but because of the governor's appearance, special arrangements were made with the DuMont Network for this special telecast in this area.

Governor Talmadge will be the guest of Spivak during his Washington visit. He has been invited by Spivak to appear on Meet the Press and other nationally televised programs produced by this former Washington newsman.



# Governors Hear Segregation Appeal

## Talmadge Calls on Court To Uphold It In Schools, Let South Solve Issue

Hot Springs, Va., No. 2 (AP)—The chairman of the Southern Governors Conference today called on the Supreme Court to uphold segregation in schools and to let the South solve its own racial problems.

Governor Herman Talmadge of Georgia declared, in a roundly applauded speech, that a ruling against segregation would be unconstitutional, the "most fool-hardy sociological calamity in our national history," and "nothing less than a major step toward national suicide."

The racial issue came up again when Governor James F. Byrnes of South Carolina said the Ku Klux Klan on one side and the National Association for the Advancement of Colored People on the other had fought a program for building Negro schools in his state.

Even with this opposition, Byrnes said, some \$62,000,000 out of \$89,000,000 available is being spent on Negro school construction in South Carolina.

Byrnes remarked dryly, "I guess you know why the Ku Klux Klan is against it."

### Expect Zeal To Decline

Opposition of N.A.A.C.P. leaders, he said, is based on the idea that Negro educators won't plug so hard against segregation if they get improved but segregated schools.

Byrnes later told newsmen that Klan opposition was applied in 1951 when the school program was before the Legislature. He said he doesn't believe the Klan is still active in his state. Several of its leaders have been imprisoned.

Talmadge opened the business session of the conference with a bid to the Eisenhower Administration to adopt "a definite agricultural program" and to consider a cut in foreign aid.

Talmadge told the governors the Government never fails to help business groups with tariffs and subsidies or to provide benefits for organized labor, and said it was time some system was devised under which farmers will get a fair, reasonable return for their work.

### Says Sound Program Mandatory

"This is a vital question before our country," the Georgia Gov-

ernor said, "and it is almost mandatory for the benefit of all our citizens that a sound farm program, as permanent as possible, must be evolved and must be evolved soon."

These governors' conferences, Talmadge insisted, "are going to have to start speaking out in stronger terms about national problems."

That was Talmadge's cue for saying the people are far ahead of Congress in realizing "there is a limit to how much we can drain our resources and still survive."

And, he added, our foreign policy must be conducted by persons of normal outlook and unquestionable loyalty.

But at this conference, at which school problems are getting major attention, it was on the segregation issue that Talmadge really teed off.

### Says Relations at Best

Race relations in the South are better today than they ever have been, he said, adding:

"Every person of reason knows, and the (supreme) court should take judicial notice of the fact, that we are making unprecedented progress in the South and, let alone, we can work out our own problems within the proper sphere of state authority."

Pointing up Talmadge's remarks is the fact that the Supreme Court will hear more arguments in December on suits asking the court to decide whether segregation is unconstitutional even if states provide equal school facilities for Negroes and whites.

The South has undertaken programs costing hundreds of millions of dollars to "provide adequate and equal public-school facilities for all," Talmadge said.

### Negro Educators Attend

Seated at the conference table as he spoke were the presidents of three Southern Negro colleges

—E. B. Evans, Prairie View, Tex., Agricultural and Mechanical College, Lawrence A. Davis, Arkan-

sas Agricultural, Mechanical, and Normal College, and F. D. Buford, Agricultural and Technical College of North Carolina.

Other Negro educators sat around the big blue-and-white conference chamber in the Homestead Hotel and then attended a special luncheon of their own at the hotel.

Talmadge told a reporter their presence in this swank resort hotel and their attendance at governors' conferences in other Southern cities were evidence of the progress Dixie is making in solving racial issues.

The Negroes and several other educators were here for a session of the Southern Regional Education Board, of which the governors also are members. The board is trying to build up education in the South on a regional basis.

While the Negroes were not housed in the hotel, Homestead

officials said it was the first time they had served Negroes in a private dining room, rather than with the hotel's Negro employees.

Before adopting budgets running to June 30, 1956, which will require participating states to boost their contributions from \$13,000 to \$20,000 a year, the board squabbled a bit over the question of getting financial help from industry and foundations.

Texas Governor Allan Shivers said universities and colleges ought to handle the matter themselves and it would stir up trouble for the board to interfere in this field.

Governor John S. Battle of Virginia assured the Texan that the executive committee of the board would merely approve methods of distributing any contributions the schools themselves worked out.

### Wetherby Is Re-Elected

Governor Lawrence W. Wetherby of Kentucky said he had been told by representatives of various industries that they would donate to a regional program, but not to individual colleges.

"Let's face it," Wetherby suggested. "We can get more money this way."

It turned out to be a losing, one-man battle by Shivers. His was the only "No" vote against a



Associated Press Wirephoto

GOVERNOR BYRNES of South Carolina, left, and Governor Talmadge confer at Southern governors' parley.

resolution authorizing the board to encourage private donations to its program.

The board, of which Wetherby is chairman, re-elected its present officers.

Dr. John E. Ivey, Jr., Atlanta, staff director of the board, told the governors two big educational problems are building up.

### Enrollment Is Problem

The first, he said, is how the South will "educate its bumper baby crop produced since World War II." Studies indicate that by 1970 undergraduate enrollment in colleges will have doubled, he said.

States should consider steps to provide "essential educational service in shorter periods of time and at the smallest reasonable cost," Ivey proposed.

No. 2 among the problems, Ivey said, is how to develop the college programs needed to "guide and sustain the South's rapid technological revolution." Without a solution, he said, "the South's magnificent technological momentum could come to a grinding halt or make the region a huge industrial slum."



# Southern Governors Agree Segregation Is Expensive

BY JOHN R. HENRY

INS Staff Correspondent

HOT SPRINGS, Va. — (INS) —

Southern Governors agreed Tuesday in a discussion of public school financing that racial segregation is a tremendously expensive item.

That was the underlying theme, if not directly expressed, in the conclusion that schools for Negroes are being placed on a par with those for white children.

Gov. James F. Byrnes of South Carolina said that 70 per cent of the state's 86 million dollar building program has been earmarked for Negro schools.

He recalled how his 1951 promise to finance this expansion through sales tax bond issue drew fire from the Ku Klux Klan and the National Association for the Advancement of Colored People.

"I knew that when both extremists opposed me, I must be right. And we prevailed even though the now extinct KKK and the NAACP were working opposite sides of the street together."

Gov. John W. Battle of Virginia keynoted the discussion, pointing out that his state successfully used the foundation plan to finance educational progress.

Salaries for Negro teachers are the same as for white teachers, according to Battle.

Byrnes pointed out there are more Negro teachers than white in South Carolina than in New York City.

## UNDER STAFFED SCHOOLS

Byrnes reported that expansion of facilities has eliminated scores of small, understaffed schools. He recalled that 34 such outmoded school buildings were advertised for sale recently in a single edition of a South Carolina newspaper.

Gov. Theodore McKeldin of Maryland, meanwhile, outlined efforts in his state to place primary responsibility for financing public schools upon the 23 counties and the city of Baltimore.

## TIGHTER CONTROLS

In contrast, Gov. William B. Umstead of North Carolina explained the state has taken over financing entirely and as a result must insist upon tighter control of the schools.

Gov. William C. Macland of West Virginia emphasized the difficulty

of financing an expansion of schools in his state, but was encouraged by his fellow chief executives.

## KEYNOTE ADDRESS

The Governors never really mentioned the matter segregation openly. None had any comment for the record even on the keynote address of their meeting by Gov. Herman Talmadge.

Gov. Talmadge urged the U. S. Supreme Court to recognize Southern Educational progress by upholding separation of the races. The court is scheduled to hear further argument in the case early in December.

Higher education through the Southern Regional plan was discussed during the morning session, and the Governors, meanwhile, received a report on freight rates from Gov. Hugh White from Mississippi.

Gov. White was unable to attend the meeting, he said, in view of a special legislative session he summoned to deal with the segregation problem.

# Southern Governors Fail To Take Segregation Stand

HOT SPRINGS, Va.—(UP)—

The Southern Governors Conference ended Wednesday without taking any formal action on the pressing issue of racial segregation in public schools.

The four-day meeting came to a close after a brief, closed-door meeting in which 51-year-old Johnston Murray of Oklahoma was named new chairman of the 16-state group. He succeeds Gov. Herman Talmadge of Georgia.

The governors did not adopt a resolution, as some had suggested they should, dealing with the explosive school segregation issue which is scheduled for further argument before the United States Supreme court next month.

Talmadge was reported to have sounded out some of the governors on the possibility of the conference's formally asking the court not to throw out the historic practice of segregation in the South.

Murray said most of the members of the conference were lawyers and were not so "presumptuous" as to try to influence a court decision.

"We're waiting to see what the law ought to be, and we'll be ready to meet it," he said.

Resolutions of the conference require unanimous approval of the governors for adoption. This usually rules out any controversial measure.

Talmadge declared in an address Monday that a decision striking down segregation would be "a step toward national suicide."

He has also stated that Georgia will close its public system rather than permit co-racial education.

Meanwhile, Gov. Robert F. Kennon of Louisiana, predicted the Democratic party will have more trouble on its hands in his state in 1956 unless an acceptable presidential candidate is nominated.

Kennon was one of three Southern Democratic governors who bolted their party to support President Eisenhower last year. Democratic presidential candidate Adlai E. Stevenson carried Louisiana by a narrow margin.

He predicted the "Democratic leadership" would support the candidate with the "views and philosophy of Jeffersonian democracy" in the next presidential election.



# Uphold Segregation, Talmadge Urges Court

## Georgia Governor Says At Conference South Is Making Great Progress On Racial Lines

BY DOUGLAS B. CORNELL  
Associated Press Staff Writer

HOT SPRINGS, Va., Nov. 2—The chairman of the Southern Governors Conference today called upon the Supreme Court to uphold segregation in schools and to let the South solve its own racial problems.

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In advance of the appearance tonight of their principal guest speaker, Secretary of Agriculture Benson, the Dixie executives split over Benson's decision today to go ahead with a reorganization plan which will abolish seven regional offices of the Soil Conservation Service.

Talmadge said the government never fails to help business groups with tariffs and subsidies or to provide benefits for organized labor and it was time some system is devised under which farmers will get a fair, reasonable return for their work.

It was on the segregation issue that Talmadge really teed off. Race relations of the South are better today than they ever have been, he said, adding:

"Every person of reason knows, and the (Supreme) Court should take judicial notice of the fact, that we are making unprecedented progress in the South, and let alone we can work out our own problems within the proper sphere of state authority."

Seated at the conference table as he spoke were the presidents of three Southern Negro colleges—E. B. Evans of Prairie View, Tex., Agricultural and Mechanical College, Lawrence A. Davis of Arkansas Agricultural, Mechanical and Normal College, and F. D. Buford of the Agricultural and Technical College of North Carolina.

Other Negro educators sat around the big blue and white conference chamber in the Homestead Hotel and then attended a special luncheon at the hotel.

Talmadge told a reporter their presence in this swank resort hotel, and their attendance at governors conferences in other Southern cities was evidence of the progress Dixie is making in solving racial issues.

The Negroes and several other educators were here for a session of the Southern Regional Education Board, of which the governors also are members.



# VA Denies Hazel Scott's Charges Of Segregation

WASHINGTON, D. C.—(NNPA)—The Veterans' Administration has denied charges of racial segregation in veterans' hospitals, made by Miss Hazel Scott, concert pianist, who in private life is the wife of Rep. Adam Clayton Powell, Democrat, of New York.

Miss Scott cancelled scheduled concert appearances in veterans' hospitals at Nashville and Murphreesboro, Tenn., after she discovered that patients in those facilities were segregated on a racial basis.

Upon being informed of the situation by his wife Mr. Powell sent telegrams of protests to President Eisenhower and the Veterans' Administration.

In making public last Tuesday a reply from Vice Admiral Joel T. Boone, retired, who is chief medical director of the VA, Powell said the White House had not even acknowledged receipt of his telegram.

According to information he received from the managers of the veterans hospitals at Nashville and Murphreesboro, Admiral Boone informed Mr. Powell, there is no

segregation at the Nashville hospital in the Special Services activities, the mess hall, library or chapel.

But the manager of the Nashville hospital, indicated, Admiral Boone said, that there are a colored medical ward, a colored surgical ward, and colored tuberculosis ward.

For several weeks, Admiral Boone said, plans have been under development to move the colored surgical patients to white wards. "This has met with resistance from these patients themselves, in spite of which the plans have been completed and will be put into effect," Admiral Boone said, adding:

"If it meets with success, the hospital authorities expect to extend this practice throughout the entire hospital."

Dr. Boone said the manager of the veterans' hospital at Murphreesboro has informed him that there is no segregation there on the medical and surgical services. Both colored and white patients, Dr. Boone said, have the same dining room facilities, occupy the same

day room, and attended the same ward recreational activities.

Dr. Boone's letter admitted that the Murphreesboro hospital has a separate building, comprising 195 beds, for the care and treatment of colored patients afflicted with neuropsychiatric disorders.

This building, Dr. Boone said, is one of the most modern in the hospital with facilities for dining, recreation, occupation therapy and physical therapy.

"They have their own dances and bingo parties," Admiral Boone said. "They attend most of the general activities at the hospital, such as movies, concerts, etc., together with white patients in the large auditoriums being seated, however, as a group of wards, which is necessitated by the fact that they need close supervision."

Dr. Boone said "There is no segregation for patients requiring electrical shock treatment where both Negro and white are treated at the same place, at the same time, occupy the same recovery room and eat in the same dining room after their treatment."

"From a study of these reports, it may be seen that while measures have been taken (and are still being taken) which has eliminated segregation to a considerable extent at these hospitals, some of it still exists."

"It is certainly not the intent of Veterans' Administration Hospitals to promote this practice. Their primary concern is the welfare of their patients and the avoidance of tensions and conflicts which might counteract any beneficial results that the treatment of the patients' hope to achieve."

"The local customs of the communities in which the hospitals are located have considerable bearing, from the medical point of view, on the hospitals obligations of safeguarding the best interests of their patients."

Asked to comment on Admiral Boone's letter to her husband, Miss Scott said: "I think it is the most blatant acceptance of segregation in a nationally administered project I have seen." She added that colored people "do not voluntarily segregate themselves in mass. If a group wants to sit together, it can happen that way, but you cannot tell me

that one or two won't want to sit somewhere else."

## Negro Citizens Withhold Information

# Knoxville's City Directory Is Under Fire Over Race Listing

KNOXVILLE, Tenn. — A weekly newspaper and Young Men's Civic Club here are waging a bitter, but far losing, battle against discrimination in connection with publication of a new city directory.

In its last issue, the Independent Call charged that trickery was being used by directory publishers to withhold information from families here by telling residents that issues of discrimination had already been settled.

The club, through the newspaper, had asked residents not to give information to data collectors until such time as directory publishers had agreed to stipulations asked by the Men's Club.

THE CONTENTION is over the practice of using the small letter "c" after the names of Negroes and listing Negro women, who are head of households, without the use of "Miss" or "Mrs." in the directory.

The club, according to the Call, had asked directory publishers to leave the "c" off entirely, or use the letter "w" after the white families as well. And it further asked that Negro women be given the same honor as white women, by use of "Miss" or "Mrs." or leave those pro-titles off completely, for all women listed in the directory.

The club resorted to the withholding of information after the first conference ended without any satisfactory results.

"THE ISSUE between the city directory publishers and the Young Men's Civic Club is not settled," said Glen C. Taylor, club publicity director. "The publishers have not notified us that they intend to correct the unfair practice."

He then again requested all residents to withhold information from directory workers until the matter is settled.

## Negro Leaders, Social Workers Forced To Leave Meeting Held In Memphis Public School

### School Board Secretary Stops Interracial Forum

MEMPHIS, Tenn., Dec. 7.—(Special)—Negro leaders and social workers here were grossly insulted last Monday night when they were bluntly asked by O. H. Jones, secretary of Memphis Board of Education, to leave a meeting sponsored by the Memphis Chapter of the Minute Women of the U. S. A., city schools. However he is reported to have said Negro teachers had met with white teachers in School under the sponsorship of joint meetings. This was permissible because each were city employees.

The meeting held last Monday night at Bellevue Junior High School was presided over by Mrs. Willis E. "From 1950 thru 1952, the Men-

Ayers, chairman of 632 S. McLean St.

The Minute Women of U. S. A. sent letters to Negro leaders and social workers inviting them to meet with them last Monday night in a forum on "Aid to Dependent Children."

It was learned by newsmen that Mr. Jones is alleged to have told Mrs. Ayers the meeting could not be held at the school if the Negroes were to remain. He would call the police and have them ejected as no interracial meeting could be held in a Memphis public school.

It was further learned that a call placed by Mr. C. Arthur Bruce to Mr. Jones failed to call off Jones' wrath and attitude toward the Negroes remaining at the meeting.

Mrs. Ayers told newsmen that permission to hold the forum at Bellevue Junior High School was obtained from O. H. Jones, a member of the Board of Education and she was taken by surprise when told her Negroes could not meet with whites at the school.

Mrs. Ayers stated she had attended interracial meetings at Tech High School and Negroes were not barred.

When Mr. Jones was told by Mrs. Ayers that such meetings had been held, he is reported to have denied that such meetings had ever been held at any of the city schools. However he is reported to have said Negro teachers had met with white teachers in School under the sponsorship of joint meetings. This was permissible because each were city employees.

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there can't be a mixed meeting in the public school buildings." Milton Bowers, president of the Board of Education, supported Jones' action, saying: "That has been the policy of the Board for years and we do not want to deviate from that policy."

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Hygiene Society held periodic meetings at Tech High. They were non-segregated night meetings.

Some of those who attended the meeting and were requested to leave by Mr. Jones were Mrs. De Frazier, Miss Lois Foster, Mrs. Fanny Adams, Mrs. Williet Having, Mrs. Gwendolyn Sam-

Unobserved, he overheard the school-graduate ADC grants, where Negroes

there can't be a mixed meeting in the public school buildings."

Milton Bowers, president of the Board of Education, supported Jones action, saying: "That has been the policy of the Board for years and we do not want to deviate from that policy."



# Chase Negro Social Workers From Memphis White School

MEMPHIS, Tenn. — The Rev. J. A. McDaniels, executive secretary of the Memphis Urban League, protested the action of the Memphis Board of Education in forcing several social workers to leave Bellevue Junior High School (white) where they were invited by the Minute Women (white) to hear Mrs. Christine Reynolds, Tennessee Public Welfare Commissioner.

Mrs. Reynolds was one of the three discussants in a forum on the Aid to Dependent Children program sponsored by the Minute Women, U. S. A., Nov. 23 at Bellevue Junior High School. *Continued p. 3*

The Negro social workers were invited guests to the meeting which was delayed about thirty minutes when they were stopped at the door by the custodian.

THEY WERE later conducted out by O. H. Jones, secretary and business manager of the Board of Education. The Urban League secretary pointed out that from 1950 through 1952 the Mental Hygiene Society held meetings at Tech High School (white).

They were non-segregated night meetings and that every one was very cordial. Continuing, the Urban League secretary said, Civil Service examinations as well as Naval ROTC exams had been held at Tech High.

Milton Bowers, president of the Board of Education, supported Mr. Jones' action. "That has been the policy of the board for years and we did not want to deviate from the policy," he said.



# Cleric Refuses Seat In 'Colored Section'

DALLAS, Texas — Invited to hear evangelist Billy Graham in a "colored section" of the 72,000-seat Cotton Bowl, Rev. Merrel D. Booker, pastor of New Hope Baptist church here, declined the offer and called the restriction "a feeble effort to emasculate the church of its Christian vitality."

Reverend Booker's letter was written in response to an invitation extended by R. L. Bacon, chairman of the Billy Graham Crusade Committee. Bacon's letter read, in part:

"Billy Graham will begin an evangelistic crusade in the Cotton Bowl May 31. The Executive Committee of the Crusade is reserving a large section for our colored friends at each service. . . We trust that you and your people can attend many of these services."

In response, Reverend Booker wrote: "It is my feeling that religion, in its highest manifestations, moves beyond cultural restrictions. It is my further feeling, following the instructions of the Master, that we of the church are 'the salt of the earth' and the light set upon a hill that cannot be hid."

"Any attempt to reduce the church of the living God to fit within cultural restrictions that are not Christian is a feeble effort to emasculate the church of its Christian vitality."

"As a 'called' minister of the gospel, I find it impossible to accept the invitation to hear the gospel preached in a section reserved for colored people."

## Ft. Worth Parks Drop Race Bar After Ministerial Groups Protest

FORT WORTH, Texas—A joint committee of the Fort Worth Inter-denominational Ministers Alliance and the Baptist Ministers Union led by Rev. Prince A. Jackson, pastor of the Allen Chapel AME church, has succeeded in opening Fort Worth city parks to Negroes.

Traditionally, Negroes were allowed in the parks only on June 19, emancipation day in Texas, but this year the committee appealed "to every Negro who has any degree of race pride and self-respect to kill this discriminatory practice by staying away from Forest Park and other places where amusements are denied Negroes except on June 19."

Rev. Jackson declared "our boys are fighting and dying today in Korea because of practices of this kind. They fight and die side by side to protect American ideals and at no time have suggestions been offered for the majority groups to fight 364 days of each year and the minority groups to fight one day each year."

Replying to this the Fort Worth Park Superintendent, Hamilton Hittson, in a statement said: "We never have refused a Negro permission to come to Forest or any other park. All I ask them to do is prove to me that someone in authority told them they couldn't come into the parks or ride the rides."

"They are citizens and taxpayers and legally we can't refuse them the right to come to the parks or ride the rides."

## DALLAS BLACKS TO STAGE BOYCOTT OF STORES IN CITY DISRESPECTFUL TO NEGRO WOMEN

Sat. 7-25-53  
Adopt Slogan Calculated to Halt Purchases  
By Thousands in Banned Stores

Okla. City Okla.  
ATTORNEY DURHAM LEADS IN  
MOVEMENT

DALLAS, Tex. — (ANP) — A boycott of Dallas department stores will be staged unless local stores stop discriminating against Negro women.

That was the decision of a group of colored Dallas citizens reached at a recent meeting in the Excelsior Building here. "Respect Our Women—Don't Trade Where They Can't," was the slogan adopted at the meeting.

For many years it has been the practice of Dallas department stores to either refuse service to colored women or to place them in cubby holes and closets while merchandise is brought to them by salesladies from the floor.

This policy has never been practiced against Negro men; they are served indiscriminately.

The issue of service to Negro women was brought to a head recently when the wife of a prominent Dallas citizen was insulted and refused service by sales personnel at one of Dallas' leading department stores.

Local Negroes have attempted to ease the situation by negotiating with heads of various stores in Dallas. However, if further negotiations do not bring about a

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In opening the recent meeting at the Excelsior Building, W. J. Durham said:

"In my judgment, we have exhausted all efforts at negotiation to settle this matter, and I now feel that the only remedy is retaliation through withdrawal of over \$1,000,000 in purchasing power the Dallas department stores now enjoy from Negro citizens."

The Citizens' Committee to Abolish Discrimination Against Negro Women in Dallas Department Stores was organized with Durham as chairman to mobilize colored people behind the move to end discrimination.

The committee will attempt to gain the support of some 200 city-wide organizations.



# Dallas CC Splits With NAACP On Fair

**By CARTER WESLEY**  
DALLAS — The leadership in Dallas is split wide open on the question of support or non-support for Negro Day at the Dallas Fair. The Chamber of Commerce is aggressively in favor of supporting Negro Day while the NAACP is publicly opposed to supporting Negro Day.

The issue has been in the making for the last several years. In the summer of 1951 we wrote a series of articles on the Dallas Fair and segregation, suggesting that Negroes needed to rethink the whole question of the Dallas Fair, and recommending that a state meeting be called for the purpose of taking a realistic decision.

**AT AN IMPASSE**  
Today so far as the intellectual level is concerned further support of the Negro Day is at an impasse. In '51, in answer to a questionnaire we sent out to the leaders practically all said Negro Day was a segregated day but about half of them refused to face up to the issue by resorting to evasions. Today the changing times and circumstances have forced the fence-sitters to move over to clear opposition. On the other hand, men like W. Hudson, Dr. L. Pinkston and Rev. B. R. Riley, R. A. Hester, and John Jay Jones, who didn't dare put themselves on record, are now where they have to be counted one way or the other with the matter out in the public.

The Chamber has traditionally supported the Fair, from which it has made a nice piece of money each year. In the past years the control of the NAACP the YMCA and the Chamber were all interlocked and the split on the Fair issue never got much headway or got out in the public. But even since the summer of '51 the temper of the times has changed so radically that the standards and rules have all shifted.

**CHANGING THE RULES**

The leaders of the Chamber, taking note of the great outcry over the fact that Negroes are only permitted to go to the Fair on but one day set themselves to work out some arrangement by which the directors of the Fair would open up all days with segregated facilities, so that Negroes could share the most experiences any day.

You can imagine their chagrin and dismay when they reported this achievement and found that the NAACP faction was not only opposed to accepting such a solution, but was calling the people who negotiated this arrangement epithets. The plain truth was that the rules and the standard of measurements had changed since '51. The Chamber people, and perhaps the directors of the State Fair, were the victims of the changed rules and attitudes of the people on the matter of segregation.

**RESULT OF CONFUSION**  
The change can only be appreciated if one remembers that the whole approach to the Fair has always been one of selfish personal interest and never been the result of objective thinking. When we suggested in '51 that the matter should be rethought, not only did the Chamber give us a cold shoulder, but the NAACP accused us of being interlopers and meddlers. But we knew that you could not settle a question of segregation on the basis of how much money the Chamber got, or how important it seemed to certain individuals in the Chamber to keep on the good side of the people who ran the State Fair. The question has to be looked at in perspective, and decisions needed to be taken on the basis of what was best for the Negro race in the long run in their fight for improving their condition.

In answer to our questionnaire in '51, Maceo Smith said the Negro Day was a discrimination, but that keeping the day would not militate against Negroes being integrated on other days.

Durham said the Negro Day was a discrimination, but evaded answering whether or not it would militate against integration, by saying that he had never been out on cake. The Chamber people, having Negro Day, but when he went out on other days he was treated equally when it came to observing EXHIBITS. He did not say how he was treated at toilets, eating places etc.

A. Prestwood, Dave Garner and H. M. Morgan all said that not only was the Negro Day discriminatory, but it militated against our being integrated and that Negroes were treated unequally on the other days of the Fair.

Dr. A.H. Dyson, who permitted his wife to answer the question-

naire, seemingly misapprehended the questions, but in a subsequent interview with Dr. Dyson it turned out that he himself felt about the way that Dave Garner, Prestwood and Morgan did.

Thus you see that the leaders who answered the questions not only contradicted each other, but themselves. Right there in Dallas the people who are actually engineering the Negro Day we are confused.

**LINES DRAWN**  
Now Durham is perfectly clear that there is discrimination throughout, and that the keeping of the Negro Day would militate against integration on other days. Maceo Smith is evidently equally as clear, since now, at long last, he is joining with the NAACP in opposition to further support. Interestingly, the Chamber people should be rethought, not only did they say that Maceo, even when put on the Chamber give us a cold shoulder, but the NAACP accused us of being interlopers and meddlers. But we knew that you could not settle a question of segregation on the basis of how much money the Chamber got, or how important it seemed to certain individuals in the Chamber to keep on the good side of the people who ran the State Fair. The question has to be looked at in perspective, and decisions needed to be taken on the basis of what was best for the Negro race in the long run in their fight for improving their condition.

The truth is that Rev. Riley spoke out boldly and openly in the late spring of '51 against Negroes supporting the separate day at the Fair at all. But mysteriously, the Reverend got silent when the fight came out in the open, and it was always a question as to whether or not Maceo and the other NAACP people coerced him into stopping the fight, which might have brought results that year.

**EMBARRASSING ISSUE**  
One who listens to both sides as we did last week in Dallas, comes away almost as nutty as a fruiting tree. The Chamber people, having assumed that integration meant merely opening up the other days on a segregated pattern, feel grieved and wronged to be challenged now on having accepted the very thing that they understood they were complaining about being restricted to one day. In other words they say that after long negotiations they got the Fair directed to agree to open all the facilities, except probably one, where the wheels or something bump into each other, by providing a space, segregated, for Negroes. They

point out that also this is a great concession on the part of the people who run the Fair, who are old men and sold on the segregation pattern.

On the other hand, the NAACP group throw up their hands in horror at the very idea of Negroes voluntarily negotiating to have segregation provided for them on the other days. They say it should be total integration, with no segregation, or nothing at all.

This confusion comes about because the thinking was not realistic in the first place on the part of either the Chamber or the present group that is in the NAACP. On the basis of the Old pattern, when we were content to live in segregation, what the Chamber has now won would be a signal victory. On the basis of what most of the NAACP now is sold on, namely, straight integration, what the Chamber has got is treason.

**SUCKERS ALL**  
I have had the suspicion for a long time that Negroes were being made suckers by the directors of the State Fair, who were reaping a rich reward by giving Negroes this day. I have known that the so-called Achievement Day was merely a euphonious way of putting something up to cover the real intent. There is little that Negroes bring there that really shows achievement.

To bring quilts, to bring preserves and canned fruits, or chickens or pigs, is not to bring anything that is unique to Negroes or that really is indicative of achievement or progress. These things could be, and most of the time are, shown at County Fairs.

Achievement Day should be for things that indicate real achievement, such as Carver's chemical products, some of the inventions or other advancement that is peculiar to Negroes, or that shows that Negroes are in the van of general achievement.

The proof that there are no real achievements is that the things that Negroes bring for their day are never shown throughout the Fair as an indication of Negroes' progress. They are for one day and for Negroes only, when Negroes already know what they have done.

I again say that the Negroes should get together and reconcile the differences now existing between the Chamber and the NAACP before the split grows wider, and also to indicate to the people at large throughout the state what they ought to do.

**THE CONSPIRACY**  
These directors of the Fair, through political influence, have actually made it so that the Negro schools throughout the whole state turn out and come to Dallas to

spend their money on this day. Negro teachers can avoid this by simply telling the superintendent that the school has decided not to attend the Fair, and to hold regular sessions. But the big question is, why does the Board of Education permit this interruption of study for the play at the Fair, except that politics probably have been brought to bear? As a race we have really been had in this Fair Day matter.

**Who's Wrong?**

## Suit Against Court Is Now A Legal Bout

HOUSTON, Texas — County Atty. Burke Holman's request that a suit filed against the Harris County Commissioner's Court by a group of Negro citizens, who were refused service at the courthouse cafeteria, be dismissed, evoked queries as to whether the attorney "knew his law."

In July, a committee headed by Mrs. C. V. Adair, executive of the Houston branch NAACP, and Sid Hilliard of the Harris County Council of Organizations, appeared before Commissioner's Court and presented their case to the commissioners and Judge Bob Casey.

In response to a statement by Judge Casey that the group could resort to any legal action it chose, Mrs. Adair asked him point-blank, "Why put us to this legal expense when you are already here and know right from wrong?"

**ATTORNEY HOLMAN** wants the suit dismissed on the grounds that the plaintiffs did not present a claim to the Commissioner's Court before filing suit, and violating a state statute by suing the Commissioner's Court without its consent.



# Industry seen as bringing changing pattern to South

## South Is Going Through Revolution, Hammer Says

BY WILLIAM GORDON

Managing Editor, Atlanta Daily World

ATLANTA, Georgia — (SNS) —

"We're in the midst of a tremendous revolution in the South today," said Phillip Hammer at the Butler Street YMCA yesterday during the weekly Hungry Club Forum.

The director of the Committee of the South said things are happening so fast in the region that many persons are unaware of the significance of the change.

### PATTERNS OF LIVING

There are fundamental trends that are "profoundly affecting our pattern of living and the speed with which we are making progress," he said.

Mr. Hammer believes that every generation brings with it a "New South" and he says the "one we are getting is really unique and different."

### RURAL-URBAN SHIFT

"Everybody knows that the South is becoming more citified and less countryfield," he said, "but few people realize that our recent rural-urban shift has been one of the most rapid dislocations of population in American history," he added.

Mr. Hammer pointed out that the period between 1940 and 1950 has been known for drastic population shifts. He chartered the movement of people from the farm to urban areas, contrasting the shifts between whites and Negroes. He said while there has been a shift from farm to urban centers by both races, there has been a tendency for Negroes to move out of the South at a rapid rate.

### TEN-YEAR PERIOD

What has been the real "meat in the coconut is what happened to the two races," he said, during the ten-year period. He said, there was a gain of the white population of 33 times as great as the Negro. He said that the Negro population in the South hardly gained at all. However, outside the South the Negro population gained by more than 2,000,000. Most of this increase went to big cities and the District of Columbia.

### LESS THAN THIRD

While in 1900, the Negro population in the South was well over half

I would remind you," he added, "in every northern city as well."

Mr. Hammer said Negroes are being forced to take over second-hand parks, second-hand schools, truck-crowded streets and that most slums in the South are still Negro slums.

of the total, today it is less than a third. The reasons are simple, he added. He cited mechanization of the farm and the displacement of farm workers by both races. Out of this the South has developed "brand new pattern of living."

By contrast, Mr. Hammer pictured the pattern of growth of cities today against those of a generation ago. He said the tendency now is to spread out into open space in the hinterlands with low population densities in the central areas. He admitted however, that Negroes were not enjoying this same privilege which in a large measure may be back of the reasons for migration.

### SHARES TOTAL DEVELOPMENT

Mr. Hammer said, that economically, the South is much better off because of this transition and even though the Negro has not fully shared in the total industrial development, he has made progress.

Using the Negro farm tenancy program as an index, he cited the gains in farm ownership by Negroes. He also spoke of public housing affecting the Negro in every large Southern city and he mentioned the use of the ballot as an instrument used to accelerate these gains.

"Look at the tremendous increase in Negro school attendance in face of an actual drop in the number of Negro children of school age," he said. He mentioned the cut in the death rate among Negro children and said these are gains "nobody can deny."

### RUN-DOWN DISTRICTS

Where the overall population figures look good, Mr. Hammer said the racial breakdown looks bad. Much of the beautiful green space around cities is not being made available to Negroes. He said Negroes are being crowded more and more into run-down central districts in every Southern city, "and

RICHMOND, Va. (ANP)—The South is undergoing a change in economic development which is similar to that which was the basis of the sharp clash between the North and South over slavery for more than two decades before the Civil war. That change will not only revolutionize the south of the old days, but it will have a great effect on race relations, it is reported.

The old South represented an agricultural economy devoted in Tobacco road. There was some clash then between the conservatives who wanted to keep colored persons in a state as near chattel slavery as possible and the more liberal element. But almost all whites worked in the interest of colored persons in those days.

### Rapid Developing

The South of the industrial era which is rapidly developing below the Potomac will be much different. Already there is more co-operation, mingling and understanding in the South among whites and colored workers in labor unions than in the churches, schools and civic organizations.

This labor change in a rapidly developing South is all the more potent because there is no fanfare about it. It is a logical, slow and unheralded development in interracial co-operation. It goes on almost unnoticed because race is not played up.

Industry will bring new life to sections of the south that seemed on the verge of dying. It will increase the conflict between an outworn and modern agricultural system and put farming on a mechanistic basis where the personal relations between the landowner and his employees will be almost completely destroyed.



## Dixie Directory Drops Race Tag

RICHMOND, Va. — Because of several law suits growing out of errors, a publishing house has discontinued its practice of identifying Negroes in its directories printed in southeastern cities.

The R. L. Polk company formerly identified Negroes by a parenthetical "C" in some 100 city directories in the southeast.

## Protest March



### PROTEST BIAS

Carrying placards protesting segregated seating at Richmond performances of the Black Hills Passion Play are card bearers, led by W. Lester Banks, foreground, executive secretary of the Virginia State Conference NAACP. According to Mr. Banks, non-segregated seating has been arranged but was cancelled following a ruling by the Commonwealth's Attorney.

The next showing of the Passion Play is scheduled for Norfolk.



## Va. Youths Vote Against Segregation

NORFOLK, Va. (NNPA) — The Youth Adult assembly of Virginia last Monday adopted a resolution calling for elimination of racial segregation of passengers traveling on common carriers within the state and urging delegates to the 1954 Virginia General assembly to pass such legislation.

Invited to the two gubernatorial candidates — Red Dalton, Republican, and Thomas Stanley, Democrat — Henry E. Howell, Jr., immediate past president, called on them to take a stand on the issue.

Howell said in his letter to the candidates that "following addresses by outstanding businessmen, teachers and religious leaders on the general theme of our offense against Communism, the assembly felt that this step on the part of Virginians would be of vital assistance in bettering our efforts to combat the evils of Communism."

## South Is Close To Integration Speaker Claims

MANASSAS, Va. — "The whole South is far readier for integration than any except a very few suspect," declared Mrs. Sarah Patton Boyle, prominent Virginia socialite and research writer of Charlottesville, Va.

Mrs. Boyle, who is the wife of Roger Boyle, dramatics professor at the University of Virginia, a second cousin of the late General George Patton and a great-granddaughter of John Mercer Patton, one time governor of Virginia, spoke before an audience of the Seventh NAACP District at the Manassas Regional High School on

last Sunday.

THE OCCASION was a Freedom Fund Rally of the district, part of the current efforts of the Virginia State Conference of Branches to raise \$50,000 for the NAACP Virginia's Freedom Fund.

Speaking from a prepared text Mrs. Boyle said: "The modern Negro has a firm grasp on American ideals which white America has not enjoyed since Jeffersonian days. The situation of the Negro almost exacted, direct action was begun. Leaflets were distributed at the theater two days and four stand-ins were held at the box office. This technique is for a racially mixed group to try to buy tickets and form a waiting line at the box office behind the first colored person who is refused a ticket. Leaflets were distributed while the group was waiting."

The workshop reports that public reaction was mixed, but far more people were favorable and some refused to enter the theater.

Stand-ins were discontinued temporarily, and a telephone campaign was started. The workshop asked people to call Mr. Brylawski once every day for a limited period, so that a constant flow of calls reached him daily.

THE WORKSHOP says the telephone campaign, combined with a letter campaign, will be intensified after the theater reopens. It is closed for the installation of "Cinerama."

The workshop also plans to urge Warner to change its policy quietly when the theater reopens early in November.

Meanwhile, three colored persons and a white woman launched a campaign last Wednesday at the Capitol Theater. They were members of the Coordinating Committee for the Enforcement of District of Columbia Anti-Discrimination Laws.

SOME OF them had entered a Thompson restaurant three

years ago and had been refused service. Their visit led to the test case, in which the Supreme Court finally ruled that "lost laws" of 1873 making it a misdemeanor for any restaurant to refuse service to any respectable, well-behaved person, is still enforceable.

The Coordinating Committee has now decided to make a similar court test of the legality of the color bar in movie theaters here.

The four persons who gained admission to the Capitol Theater were Mrs. Mary Church Terrell, 80; the Rev. William H. Jernagin, 84, pastor of Mt. Carmel Baptist Church; William D. Nixon, 80, retired public school teacher, and Mrs. Arlene Hays, who is in her 70s and was the only white member of the group.

REV. MR. JERNAGIN bought the tickets for the party at the Capitol Theater.

"They (the theater cashier, doorman and ushers) were wonderful," Rev. Mr. Jernagin said later. "We had a wonderful time. I don't know when I've had a better time. In fact, I stayed longer at the show than I'd planned."

They wrote a letter of congratulations to the manager of the Capitol, expressing the hope that other theaters would follow.

BUT THE CAPITOL told reporters that there has been no change of policy.

"Our policy is the same as it always was," said a spokesman. "I think you know what that policy is."

Asked why three colored persons were admitted last Wednesday, he said: "We don't know anything about that."

David Rein, attorney for the Coordinating Committee, was surprised to learn of the Capitol's statement.

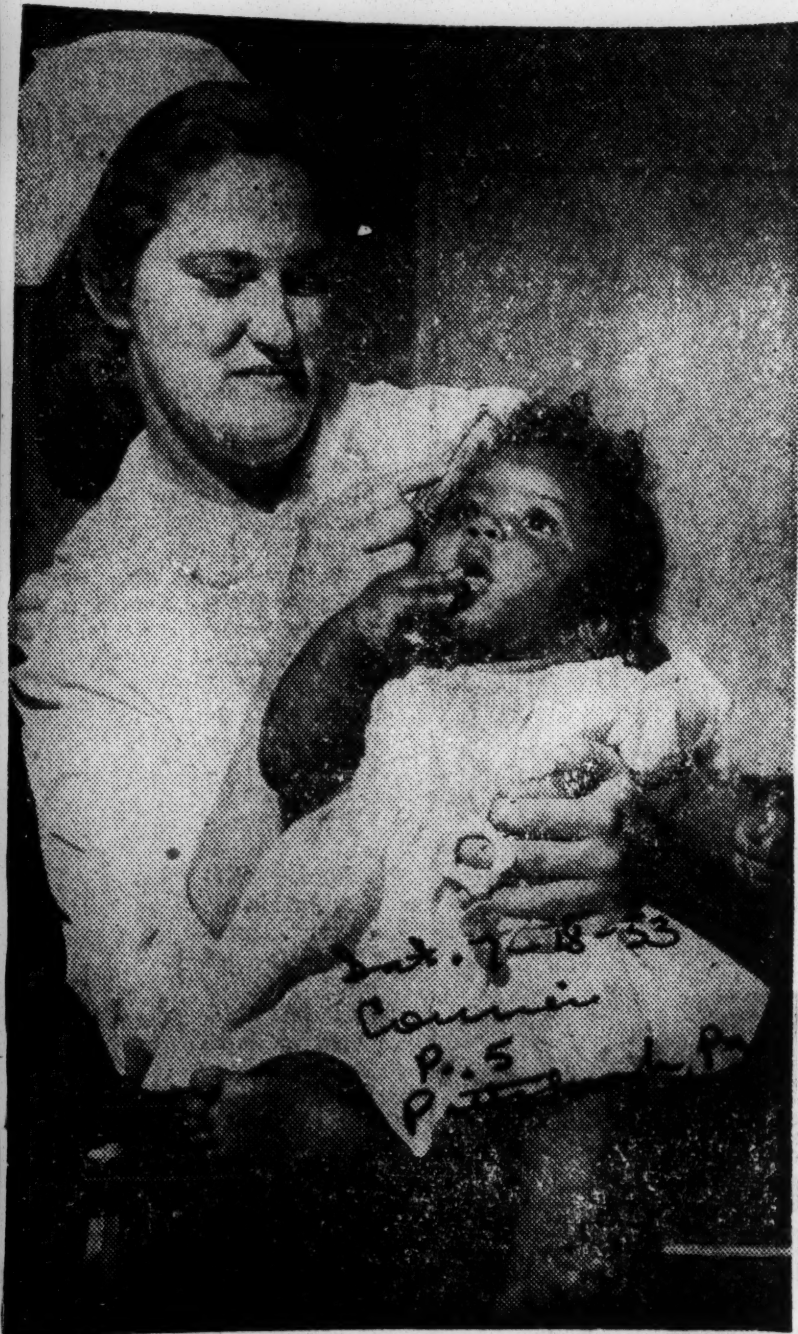
"As to what we'll do now, we'll have to talk it over," he said. "We won't just let it lie there. I'll assure you of that."

## DIXIE NEGROES WON'T BE IDENTIFIED IN CITY DIRECTORIES

RICHMOND, Va. — A publishing house has discontinued its practice of identifying Negroes in its directories in southeastern cities because it found it to be too expensive.

The R. L. Polk Co. formerly identified colored persons by a parenthetical "C" in some 100 city directories in the Southeast. However, because of errors, many lawsuits have resulted. Consequently, the company decided it would be less expensive to do away with its attempt at "hyphenating" Negroes.





<sup>38a</sup>  
**Buffeted About—** This baby was buffeted about quite a bit in Charleston, W. Va., last week when its mother, Mrs. Leonard Childers, of Detroit, fell in a bus station and suffered a concussion. Police officers tried several "charitable" institutions, but were refused until the Open Door Mission offered refuge to the child. She is shown here with Nurse Lois Flowers of the mission.



A Passenger Reports:**Bus Jim Crow  
Fading Slowly**

TALLADEGA, Ala.—Mrs. Leonye P. Cunningham, a counselor for women students at Talladega College, relates her experiences on two interstate bus trips:

"In the early morning hours of May 1, I boarded a Trailways bus at Orangeburg, S.C., en route to Talladega College. The bus was crowded with passengers who were predominantly soldiers traveling from points in North Carolina to Texas and other points beyond." *Counselor*

"The driver was very friendly and entirely oblivious of color, as evidenced by the fact that although driving through the South the passengers were well integrated in the pattern of seating. The trip as far as Augusta, Ga., was free from unpleasant incidents." *38b*

"At Augusta, Ga., there is a rest stop for breakfast, for change of drivers. The first thing done by the new driver was to ask two Negro soldiers who were sitting in the third seat from the back to exchange with two white soldiers who were sitting directly behind them. This was done peaceably." *38b*

"Later when the bus became crowded with white and Negro passengers, the bus driver came back to a well-dressed Negro woman who was sitting on the second seat from the rear and said: 'Aunty, would you please take the back seat?' She did so with no comment. Two Negroes who were sitting directly behind her commented to each other that they did not plan to move." *38b*

"As we joggled along we reached another rest stop. The passengers, for the most part, got off briefly for refreshments. Just before we resumed our journey the bus driver came to the rear of the bus and said to the writer, who incidentally was sitting in the first seat from the back: 'Do you want that seat?' indicating the one from which he had removed the other Negro woman." *38b*

On being told that I was quite comfortable he found that he had made a mistake in identification.

He then looked to the back seat and said to the woman whom he had directed to move: 'You can move back up to your seat, you are a "through" passenger.' "What or who made him see the light?"

"At 5:20 A. M. on April 17, I was a passenger on a Greyhound bus traveling from Louisville, Ky., to Nashville, Tenn. As we loaded, four white fellows went directly to the back seat. The other passengers filled in and sat where they wished. The seating was without discrimination through Kentucky to Tennessee." *38b*

"Several of the white passengers who entered later, seemed perturbed over the situation but accepted it as it seemed to satisfy the majority of the passengers. The driver seemed aware of the changing patterns of transportation in the South. He indicated no reactions against the departure from segregated seating." *38b*



38b 1953

ARKANSAS

# Arkansas Judge Bans Jim Crow On State Busses

said *at 4-18-53*  
Spears charged that he was  
forced to take a seat in the rear  
of a bus while passing through  
Hot Springs on December 31, 1951.

HOT SPRINGS, Ark.—(INS)— A federal district judge Wednesday handed down a direct verdict that in effect abolished state approved "jim crow" practices on public conveyances in Arkansas.

The verdict was awarded in favor of I. H. Spears, Negro attorney of Pasadena, Calif., against the Arkansas Motor Coaches, Inc.

The jury, however, refused to grant Spears any damages after returning a verdict in his favor as directed by Judge John E. Miller.

Spears charged that he was forced to take a seat in the rear of a bus while passing through Hot Springs on December 31, 1951.

Arkansas segregation laws provide that Negroes must ride in back seats.

## COURT DECISIONS

The action by Judge Miller is similar to recent decisions by the U. S. Supreme Court and Court of Appeals.

The judge declared that the question of civil rights supercedes a state statute that compels segregation.

In refusing to allow Spears any compensation for actual or punitive damages, the jury held that he had not suffered any.

However, Judge Miller told Spears that the court would be ready to receive a motion from him to set aside the jury's verdict on damages.

## Wins Jim Crow R. R. Case, Award KO'd

HOT SPRINGS, Ark., — (INS) — A federal District Judge last week handed down a directed verdict that in effect abolished state approved "Jim Crow" practices on public conveyances in Arkansas.

The verdict was awarded in favor of I. H. Spears, Negro attorney of Pasadena, Calif., against the Arkansas Motor Coaches, Inc.

The jury, however, refused to grant Spears any damages after returning a verdict in his favor as directed by Judge John E. Miller. He didn't suffer, the jurors



38b 1953

## Teacher Wins Ga. Bus Suit

CHARLESTON, W. Va.—Judgment of \$1,600 against the Atlantic Greyhound Corporation in favor of Miss Rosalyn C. Richardson, Bluefield State College professor, was awarded by Judge Ben Moore of the U. S. Court of Appeals here last week.

Miss Richardson, head of the Bluefield State College Romance Department, had filed suit against the Atlantic Greyhound Corporation for alleged arrest and imprisonment in the city jail in Athens, Ga.

*Set. 5-16-53*  
JUDGE MOORE held that the Georgia statute and the regulation of the Atlantic Greyhound Corporation of seating Negro in back seats on its buses was invalid in this case.

ATLANTIC GREYHOUND CORPORATION



# Los Angeles Judge Bars Jim Crow Railroad Cars

LOS ANGELES — (INS) — Los Angeles Municipal Judge Lucius P. Green Thursday condemned segregation of Negroes on Railroads in California in a suit brought by four Negroes against the Southern Pacific Railway.

The four demanded \$2500 damages each, on grounds that the railroad violated their civil rights in forcing them to ride in a segregated car on trips from California to Louisiana and Texas.

The company denied the charge and declared it was necessary to use segregated cars in California since their trains operate in states where segregation is permitted.

Judge Green denied a company demurrer and said:

"The full and equal provisions of civil rights are not satisfied by equal accommodations."

"Anything short of a full measure of equality, regardless of race, creed and color, is an illegal denial of equality."



# Bus line sued for \$25,000

*Apw American*  
Wac charges JC

and false arrest

*p. 9* WASHINGTON

Miss Sarah L. Keyes, a Wac stationed at Fort Dix, N.J., last week filed a \$25,000 suit against Carolina Trailways, Inc., Raleigh, charging discriminatory treatment.

The 23-year-old Wac filed a petition with the Interstate Commerce Commission charging the bus company with violation of the Interstate Commerce Act.

In the petition, Miss Keyes of Rocky Mount, N.C., said she suffered unlawful discrimination while a passenger on a company bus on Aug. 1.

## Ordered To Rear

She stated that while en route to her home during a furlough she was ordered to leave her seat and move to a rear section reserved for colored passengers. She said she refused to move.

When the bus reached a rest stop at Roanoke Rapids, the petition stated, the plaintiff was refused a seat on a second bus to which all other passengers were directed.

It was charged that in addition to refusing the Wac to enter the second bus, agents of the company caused her to be falsely arrested on charges of disorderly conduct.

## Held In Jail

Miss Keyes then states she was placed in jail and held "incommunicado" overnight and fined a total of \$25 the next day during a hearing in a Roanoke Falls court.

The agents and employees of the company are charged with making rude, insolent and harsh remarks to the defendant when the bus arrived in Roanoke Rapids.

The petition asks the commission to order the company to end its alleged discrimination against colored passengers and to give the complainant \$25,000 in damages plus the costs of the action.



## Trial set in Florida segregation arrest

CRESTVIEW, Fla., July 21—(AP)—Lt. Thomas E. Williams, Negro, Craig Air Force Base, Selma, Ala., will be tried in County Court July 23 on violating Florida's segregation law.

A Coastal Stages passenger bus driver reported that Williams boarded a bus at Fort Walton Beach, June 23, and refused to leave his seat in the section reserved for whites.

Deputy Sheriff J. C. Strickland said he arrested Williams at the request of the bus driver. Williams was released on \$200 bond after being jailed for two days and one night. He pleaded innocent to the charges.

A motion to quash the charges will be filed by two Tampa attorneys, County Atty. Clyde Campbell said he had been told. He didn't learn their names.

## Seat Row Revives Bus Issue

CRESTVIEW, Fla. — The jailing of an air force lieutenant for refusing to take the Jim Crow seat on a Coastal stages bus may open a legal battle to force bus lines to respect the decision of the Supreme court outlawing segregation of Negroes traveling in interstate commerce.

The officer, Lieut. Thomas E. Williams, of Craig Airforce base, Selma, Ala. was scheduled to go on trial at Crestview Wednesday for refusing to give up his seat in the center of the bus and move to a rear section.

Negro passengers are forced to occupy the rear seat on buses in the South.

Lieutenant Williams was arrested and jailed in Crestview on July 21 when he would not give up his seat in a section of the bus reserved for whites.

The arrest was made by Deputy J. P. Strickland after the driver of the bus insisted that the officer change his seat. When Lieutenant

Williams refused to move he was arrested and jailed.

He remained in jail for two days and one night before he posted a \$200 bond and was released.

The United States Supreme court in the Morgan vs. Virginia case several years ago outlawed segregation of Negro passengers on bus travel in inter-state commerce. The bus laws, however, still compel colored persons to take the back seats.

**Negro's Trial Slated-Over Bus Seating Row**

CRESTVIEW, Fla., Sept. 21 (AP)—A Negro air force lieutenant will be tried in County Court there next Monday on a charge of violating Florida's bus seating segregation law.

County Judge Wilbur F. Osborn set the date after overruling a motion by Lt. James Williams of Craig Air Force Base, Selma, to throw out the charge.

Williams also will be tried Monday on a charge of speeding through Laurel Hill, about 17 miles east of here.

He was first arrested here last June 23. A Coastal Stages Bus driver told officers he refused to vacate a seat in the center of the bus reserved for white passengers.

Contending that he was an interstate passenger, Williams said the law should apply to him. If the law should be held applicable, he said it would be ruled unconstitutional since it attempted to regulate interstate commerce.

Williams refused to move he was arrested and jailed.

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## Florida Bus Segregation Law Challenged By Negro Officer

CRESTVIEW, Fla. (AP)—A case involving the constitutionality of Florida's bus segregation law will be appealed to Circuit Court, attorney for a Negro air force officer said.

Lt. James Williams, formerly stationed at Craig Air Force Base, Selma, Ala., was fined \$100 yesterday by Okaloosa County Judge Wilbur F. Osborn. He was charged with refusing to leave a bus seat reserved for white passengers.

Following the decision, Charles Wilson, Pensacola, Fla., Negro attorney, said he would appeal the decision. He has contended that if the Florida segregation law applies to Williams it is unconstitutional because Williams was a passenger in interstate commerce when he was arrested.

W. E. Kilpatrick, driver of a Coastal Stages bus, told the officers who arrested the lieutenant last June 23 that he refused to vacate a seat reserved for white passengers.

Judge Osborn also fined Williams \$15 on a charge of reckless driving. He was arrested at Laurel Hill, Fla., 17 miles east of here, following his arraignment in the segregation case. Williams pleaded guilty to the driving charge.

Williams, now stationed at James Connally AFB, Waco, Tex., was placed under \$200 bond pending the appeal. He did not appear in court yesterday.

ed with reckless driving. This trial is still pending.

Meanwhile, the commanding officer of the air base at Craig Field, Fla., where Williams was taking a refresher course, issued him a letter of reprimand. This was followed by notification that he had been separated from the services. Williams has made inquiry to no satisfaction as to why his name was included for such action. His home is in Philadelphia.

## Rebuffed bus jim crow, lieutenant 'kicked out'

CRESTVIEW, Fla.—A colored airman who refused to be segregated on a bus in interstate transportation last June 23 recently was separated from the service in the latest of a series of incidents following his defiance of the segregation order.

He is Lt. Thomas Williams of Philadelphia, who was traveling from Elgin Field, Fla., to Montgomery, Ala., when the bus driver ordered him to move to a seat further back in the bus.

Williams refused on the grounds that it was an interstate bus and came under a Supreme Court ruling against segregation in interstate transportation.

When the bus reached Crestview, the young lieutenant was jailed on charges of violating a state law on segregation.

Following his trial, in which the case was sent to a higher court, Williams was arrested after leaving the courtroom en route back to the air base and charged with reckless driving. This trial is still pending.

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This was followed by notification that he had been separated from the service.

Williams has made inquiry to no satisfaction as to why his name was included for such action.

## Negro Officer Appeals Race Law Conviction

A Negro Air Force officer who was formerly stationed at Maxwell Air Force Base yesterday appealed his conviction of violating Florida's segregation law to Circuit Court in Crestview, according to Associated Press dispatches.

Lt. James Williams was convicted in Okaloosa County Sept. 19 by a six-man jury and fined \$200 by Judge Wilbur Osborn.

The officer was arrested in Crestview June 23 when a bus driver said he refused to vacate a seat reserved for white passengers.

Williams' attorney, Charles Wilson, Pensacola, Fla., Negro, has contended that if the Florida law is held to apply in Williams' case it is unconstitutional since the bus was engaged in interstate commerce.

## Lieutenant Separated After Dixie Incident

CRESTVIEW, Fla.—Lt. Thomas Williams of Air Force has been separated from the service under mysterious circumstances in the latest of a series of incidents which have followed his defiance of a segregation order on an interstate bus.

Lt. Williams was travelling from Eglin Field, Fla., to Montgomery, Ala., on June 23 when the bus driver ordered him to move further to the rear of the bus. Williams refused on the grounds that it was

an interstate bus and came under a Supreme court ruling against segregation in interstate transportation.

At Crestview, Fla., the young Lieutenant was jailed on charges of violating a state law on segregation. Following his trial in which the case was sent to a higher court, Williams was arrested after leaving the courtroom and charged



# Air Force Officers Reprimanded For Refusing To Occupy Rear Seats of Bus

WASHINGTON, D. C.—(NNPA) ed by the provost marshal at Birmingham that on March 22 —Despite the decision of the military police were required to United States Supreme Court out-make the colored officer comply lawing racial segregation in inter-with a request of an official of the state bus travel, the United States Louisville and Nashville Railroad Air Force is reprimanding colored Company.

officers who do not comply with Mr. Mitchell withheld the name Jim Crow practices on trains and buses, of the colored officer but made public what purported to be the administrative reprimand which went into the officer's file. The reprimand stated:

This charge was made Saturday by Clarence Mitchell, head of the Washington bureau of the NAACP. who said that the Air Force in one case had even gone to the extent of dropping an officer who refused to move to the rear of a bus while travelling from Florida to Alabama. "Your actions in this instance are prejudicial to good order and military discipline and do not conform to the standards expected of a commissioned officer of the United States Air Force."

According to Mr. Mitchell, the officer is Lieut. Thomas Williams, a pilot in training at Craig Air Base, Ala. who returned to duty after the Air Force said himby all municipal and state laws. whether he would accept active duty status. "As a member of the Armed Forces, you are obliged to abide regardless of your personal feelings or Armed Forces policy relative to the issue at hand."

Mr. Mitchell said Lieut. Craig requested overseas duty as a fighter pilot, but was sent to school at Craig for instruction. "Your open violation of the segregation policy established by this railroad company and the State of Alabama is indicative of extremely poor judgment on your part and reflects unfavorably on your qualifications as a commissioned officer."

**Names Officers Involved**  
The NAACP director named James P. Goode, deputy Assistant Secretary of Air; Major General James F. Powell of Keesler Air Force Base, Biloxi, Miss., and Colonel John H. Bundy, commander of the Craig Air Base, as the officials who are responsible for efforts to the Air Force to come to the colored Air Force personnel to bus segregation case.

Mr. Mitchell said the Air Force sought to base its action against Lieut. Williams on a charge of der of the Craig Air Base, as the speeding lodged against him by officials who are responsible for Florida policemen who followed efforts to the Air Force to come to the colored Air Force personnel to bus segregation case. The speeding charge against Lieut. Williams was set for hearing on August 15. The Air Force transferred the officer to Texas on August 14. The case was postponed until Sept. 22, but at that date Lieut. Williams was at the Texas station and in the process of being dropped from the Air Force and could not get to Florida to defend himself, Mr. Mitchell said.

Colonel Bundy was chiefly responsible for Lieut. Williams' being dropped from the Air Force, Mr. Mitchell said. At a meeting at the Pentagon Thursday, he added, Mr. Goodie refused to hold up the order until an impartial group could review the facts, as suggested by the NAACP.

Mr. Mitchell said the NAACP has appealed to Secretary of the Air Force Harold E. Talbott to halt the action against Lieut. Williams and order all commanders to refrain from taking any punitive action against men who refuse to obey "unconstitution" segregation practices.

## Refuses Rear Seat

The Florida NAACP, he said, is representing the officer in a civil court appeal growing out of his refusal to take a rear seat on the bus.

In addition to the case of Lieut. Williams, Mr. Mitchell charged General James F. Powell had reprimanded a colored officer after the general had been inform-



# Jimcrow Transportation Law In South Being Challenged

By CARTER JEWEL

RICHMOND, Va. (ANP)—An important case challenging the constitutionality of the segregation of the races in travel in the South may be settled once for all when the United States Court of Appeals holds its October term in Richmond.

It is the case of John D. Williams against the Carolina Coach Company. Williams sued the company for \$50,000 on a two-fold charge that he was unlawfully ejected from a coach and falsely arrested because he refused to move to a back seat on a company bus.

The company has appealed the case to the United States Court of Appeals of Richmond, taking exception to the victory which Williams won last November. Williams' chief attorney, Martin A. Martin of Richmond, disclosed last week that the company had made an appeal.

In his petition for damages in the amount of \$50,000, Williams contended that he bought a ticket for a trip from Spring Hope, N. C., to Norfolk, Va., on Sept. 4, 1950. He asserted that he was requested to move by a bus driver, and because he refused to move he was ejected from a bus in Rocky Mount, N. C.

Williams received \$153 compensatory damages on the unlawfully ejected complaint and another \$100 on the falsely arrested charge. He was also freed of all charges and dismissed in court.

Federal Judge Sterling Hutcheson ruled that segregation of passengers on interstate carriers is a violation of the commerce clause of the U. S. Constitution. He based his ruling largely on the celebrated Irene Morgan case where the court ruled that the segregation of passengers in interstate travel is an undue burden to interstate commerce and a violation of the United States Constitution.

Martin said last week that he felt that Williams' case "is one of the best which we have had, and I further believe that it will settle the transportation law in the South once and for all."

## favor ending separate travel

NORFOLK, Va. (NNPA)—The Youth Adult Assembly of Virginia last Monday adopted a resolution calling for elimination of racial segregation of passengers traveling on common carriers within the state and urging delegates to the 1954 Virginia General Assembly to pass such legislation.

In letters sent to the two gubernatorial candidates—Red Dalton, Republican, and Thomas Stanley, Democrat—Henry E. Howell, immediate past president, called on them to take a stand on the issue.

Howell said in his letter to the candidates that "following addresses by outstanding businessmen, teachers and religious leaders on the general theme of our offense against Communism, the assembly felt that this step on the part of Virginians would be of vital assistance in bettering our efforts to combat the evils of Communism."

"The assembly would appreciate your making your respective views public regarding what the assembly deems is a vital question in Virginia public affairs."

## Railroad Segregation Is Attacked

By the Associated Press

The National Association for the Advancement of Colored People has opened fire on racial segregation in railroad stations and restaurants.

The NAACP filed a complaint with the Interstate Commerce Commission, naming 11 railroads, the Richmond, Va., Terminal Co. and the Union News

Co., which runs a restaurant in the Richmond station.

The organization termed its complaint the first major challenge to segregation in railroad stations and station eating places.

The complaint charges the railroads are still trying to enforce segregation of interstate passengers, despite Supreme Court rulings to the contrary.

In New York, the association listed these complaints, and cited their complaints as follows:

James G. Baptiste of Jamaica, N. Y., attempted to get Pullman reservations from West Palm Beach, Fla., to New York.

The ticket agent noted that his Atlantic Coast Line pass bore the notation "colored—not good in Pullman or parlor cars." The agent notified Baptiste he could not have such reservations on the Atlantic Coast Line section of the trip, but could have them from Richmond, Va., to New York. He said he was forced, therefore, to board a segregated coach, although white persons with passes were allowed to get Pullman space.

Eugene Gordon of New York said that on a trip on the Atlantic Coast Line from Florence, S. C., to New York, he was forced to ride in one of two "Jim Crow" cars.

Hattie Ballard of New York said she bought a reserved seat ticket for a trip on the Seaboard's Silver Comet from Greenwood, S. C., to New York and was forced to move into a segregated car.

Elvira Craig of New York said that on a trip from Atlanta to New York on the Southern Railway she attempted to move from a segregated car to another section of the train, but was prevented by a passenger agent who "abused" her.



# ARSONISTS STILL BUSY FANNING CAIRO ST. ROW

By GEORGE M. COLEMAN

Although the smoke of controversy seems to have quieted down in the much disputed Cairo St. area, and Negro families have moved into purchased homes without incident, the unidentified arsonists are apparently still at large and at work.

The home of a white woman was set on fire early Sunday, and may have indirectly figured in the Cairo Street series of anger flares. Mrs. A. C. Dean of 399 Park St., S. W., told police that three white men circled the block she lived in three times about 4 a. m. Sunday. The third time they stopped, cut their lights, but left the engine running. One of them threw a can of gas on her porch and the other lighted a match to the fumes, after which the men fled. Three white boys witnessed the incident, a police report indicated.

A connection was made with the Cairo St. burnings when Mrs. Dean explained that she had furniture in her house belonging to Mrs. Raymond Williams who recently sold her home at 585 Cairo St., to a Negro family.

Mrs. Dean said she had received two suspicious phone calls from persons who said "This is one of your colored friends. Fire Investigator Roy Parker was notified, and promised an investigation," police said.

A few months ago, an attack was made upon the newly purchased home of Fred E. Bailey, white man, who complained to police that someone had thrown fresh paint on all the walls of his new house at 434 East Rinehall St., S. W. Bailey said he had sold his home at 572 Cairo St., to a Negro family.

This house was set afire by the arsonists three times; each instant after the real estate firm handling the house had made repairs. It was the first of the incidents which set off an investigation by fire department and police officials.

The first burning occurred April 1, in a grim April Fool's joke to the family which had bought the house. It was burned a second time the following day, and then dynamited April 26. Houses at 155 Simmons St.,

565 Simmons St. were also burned. The latest incident happened in July.

## Residences Of Negroes Fired Upon In Atlanta

ATLANTA, Aug. 5 (AP)—Police are looking for a rifleman who fired a volley of .22 caliber bullets into three houses recently by Negroes in a predominantly white neighborhood.

Detective Supt. I. G. Cowan said no Negro occupants were injured, although at least two persons reported they were narrowly missed by the screaming bullets at midnight last night.

Three bullets each were fired into two of the residences and five bullets into the third, police reported. The houses are on Cairo Street on the northwest side.

Police have received numerous reports of disturbances in recent months in the square area growing out of Negro "encroachment" in the neighborhood.

Because of the uneasy feeling in the neighborhood, Cowan said he is keeping the area under 24-hour surveillance.

## Three Shots Fired Into House In Disputed Area

The unnamed culprits who have been creating disturbances in the disputed Cairo Street area, returned to the scene late Tuesday night for the third time in ten days, and this time fired shots into three occupied dwellings.

A lookout was placed late Tuesday for a late model Ford or Mercury coupe, and three vice squad detectives were assigned to investigate the incident Wednesday, but reported hardly any success, Detective Superintendent I. G. Cowan said yesterday.

### OFFICER WATCHING AREA

The shooting were first reported by Officer B. D. Duncan, who had been given the special detail of watching the area. He reported that houses at 572, 582 and 595 Cairo St., N. W. were struck by bullets believed to have been fired from a .22 caliber pistol.

Cowan pointed out that the incidents are growing more serious, and that many people could have been wounded or slain when bullets were employed in such a reckless manner.

Most of the previous incidents have consisted of small quantities of fuel being ignited under empty houses, and causing small damage.

Duncan said that Mrs. Bessie Cannady, resident of 590 Cairo St., ran to the sidewalk and stopped him about 11 p. m. and reported that someone had fired into her house, while her 15 year old son, Freeman was standing on the porch.

### NEIGHBORS INSIDE

Residents of the other section of the duplex, identified as Mr. and Mrs. Homer Killens, were inside the house when the shots were fired. No one was at home at 585 Cairo St., but John Fench, a resident of 572 Cairo was walking up Cairo St., when the shots were fired into the three houses.

Duncan said the residents reported seeing a maroon Ford or Mercury turning into Pelham St., when they rushed to their front doors.

A group of white youngsters, who were discovered sitting in a auto, farther down the street, were quoted as saying the car was black or

blue, but all agreed the auto was either a Ford or Mercury coupe, Duncan said.

Dets. C. Griffin and N. W. Smith said they were unable to locate the suspected auto or the people responsible yesterday after an investigation, but several facts have come to light.

### AUTO NOT LOCATED

The house at 572 Cairo St., has been the hardest hit since the terrorists started their attacks last April. This house has been attacked four times, the last time before Tuesday on July 24 when it was set on fire. The white owner, who sold the house, was attacked in his new home, and a third arson attempt was made on a woman who had sold her home in the area to a Negro family.

Three bullets struck 572 Cairo St. The house at 590 Cairo was hit five times, and 585 Cairo was struck three times.

## Hoodlums Shoot Into 3 Dwellings

ATLANTA, Ga. — The Cairo Street residential area, slowly changing from white to Negro occupancy, last week showed new scars of violence. Atlanta police, however, had the area under complete patrol and were investigating all flareups.

The latest disturbance saw persons in an unidentified auto shoot into three occupied dwellings on Cairo Street. Another instance of reported violence was the attempt to set fire to

a house of a white family in Southeast Atlanta, to which one white couple had moved after selling their Cairo Street, N. W., home to Negro buyers.

Atlanta police reported that houses at 572, 582 and 595 Cairo Street were struck by bullets shortly before a midnight hour. Three vice squad detectives investigated the shooting, believed to have been done with a .22 caliber rifle, since killings could have resulted from the flying lead. A fifteen-year-old boy was standing on the porch of one house fired upon.

Several times within the past two-week period, attempts had been made to start fires under recently Negro-occupied dwellings. The damage has been very small.

In the Southeast Atlanta incident, Mrs. A. C. Dean, white, of Park Street, told officers that an unidentified man threw the contents of a gallon jar at her home and then threw a lighted match. The gasoline missed the porch, the ground nearby being scorched. The man fled in a car whose motor had been left running by a driver-companion.

Mrs. Dean told officers that the attempt to burn her home may have been because she is boarding a Mr. and Mrs. Raymond Williams, who recently sold their Cairo Street property to a Negro family.



# \$10,000 Damages Asked By Soldier

## GI Accuses Bus Driver Of Threatening Him With Axe

MACON — (SNS) — Cpl. Eddie Billingsley, Jr., who said an unidentified bus driver chased him from a bus with an axe, asked damages of \$10,000 Thursday in a suit filed in Bibb Superior Court against the Southern Transit, Inc. Busline.

Cpl. Billingsley, of Chattanooga, said in his petition that he was threatened with the axe while enroute from Macon to Robbins Air Force Base February 4.

The petition held that an unidentified driver stopped the bus between Macon and Warner Robins, got the axe and came to the rear of the bus and demanded that he get off the vehicle.

The charge read in part, "The driver had the axe in his hand and he demanded in a menacing manner the plaintiff leave the bus."  
Feb. 2-21-53  
FORCED OFF BUS

The suit further charged, "Plaintiff feared that if he did not obey the driver would assault him with the axe, so he got off the bus."

The soldier said that after he was forced to leave the bus he had to pay \$5 taxi fare for transportation to Robbins base. He claimed the driver acted "wholly without justification and caused plaintiff embarrassment and humiliation."

Billingsley, who is represented by Attorneys Thomas, W. Johnson and Robert V. Jones, said he paid a 30 cents fare when he got on the bus at midnight February. He added the driver did not refund his fare, and therefore the company was under obligation to transport him to the base as a passenger.

## Chased From Bus With Axe, GI Says

MACON, Ga. — A soldier corporal, Eddie Billingsley Jr., has filed suit for \$10,000 against a bus company charging an unidentified bus driver chased him from a bus with an axe. The soldier, a Chattanooga resident, claimed he was threatened and forced off the bus while riding from Macon to Robbins Air Force Base on Feb. 4.

## On Georgia Bus

## Six Injured By Gas Bomb

AUGUSTA, Ga. — Six Negroes suffered burns last week when a full-strength tear gas bomb was tossed into a downtown bus as Augusta's month-old bus strike showed new signs of violence. Some of the burns reportedly were serious.

Police said the bomb was thrown through a window, across the lap of a woman passenger, and then landed across a panel of the rear exit door. All of the passengers were Negroes. At least one was knocked unconscious by the blast and fumes.

A good description of the incident, one block off Augusta's main street, was furnished police. But no immediate arrest was reported.

## She Wouldn't Move to Rear of Bus Despite Stares and Insults

# Talladeega Co-ed Tests Interstate Law... Wins

(Editor's Note: The following article was written by Miss Mary Weaver, a senior at Talladeega College, Talladeega, Ala., and printed in the college's student publication, The Talladeega Student.)

Continued \* P. 12 38b  
By MARY WEAVER

TALLADEGA, Ala.—I boarded a bus in Atlanta, Ga., for Talladeega, Ala. The bus was relatively empty as I was one of the first passengers to get on. So, having a choice, I sat down in the third seat from the rear.

A Negro soldier, who got on shortly after I did, sat in the seat across the aisle from me. As the bus began to fill, a white couple sat between me and the rear seat while a couple of white soldiers sat in the vacant seat behind the Negro soldier. Nothing was said until the driver, noticing the arrangement, asked the soldier to change seats with those behind him. This the soldier immediately did.

Turning to me the driver said, "How about exchanging seats with these people?"

"Really, I prefer not to move," I replied.

"Why not?" said the driver. "That seat is as good as this one and it is a side seat." 2-5-12-53

"But it's over the wheel, and I'd rather sit here."

"Well, I just can't have those white people sitting behind you."

Mustering up my dignity I said, "If you force me to move,

I must ask your name because I'm going from Georgia to Alabama and as long as I'm going from one state to another, I'm supposed to be able to sit anywhere I please."

"Just a minute," replied the driver.

With these ominous words, he left the bus for a consultation. While he was gone I began looking for paper on which to record any information I might need. I would like to say that at this point I was quite nervous but very determined to follow the situation through. A moment later I heard a voice asking, "Where is she?" The reply came, "She's sitting back there on the side."

After a brief conversation the driver sat down, started the bus, and backed out of the station. I began to breathe easier, but I was wondering what would happen if another white person got on the bus, since the only vacant seats now, besides those on the last seat were the one beside me and the one beside the Negro soldier.

I didn't have to wait too long, for about twenty-seven miles before we reached Heflin, Ala., an elderly white man boarded the bus. He looked at me and at the Negro soldier, but decided not to say anything. He only stood. A young white soldier offered the man his seat, and stood in his place.

By this time the stares in my direction were so pointed that I decided it was time for me to go to sleep. I pulled my coat around my neck and closed my eyes. They hadn't been closed long when the white soldier leaned over, touched me, and said, "How about moving over there with him" (nodding to the Negro soldier) "and letting me sit down?"

Looking at the vacant seat beside me I said, "I don't mind if you sit down."

"Well you may not mind, but I do," emphatically declared the soldier.

"Well I'd rather not move," I answered with equal emphasis.

"Who are you, some privileged character?" demanded one of our country's defenders.

"As long as I'm traveling from one state to another I have the legal right to sit where I please," I repeated for his benefit.

"If you are going as far as Birmingham we'll see about that!"

"O. K.," I answered.

Having finished this mode of passing the time of day, I turned to resume my nap. When I opened my eyes again I saw that the Negro soldier had moved to the last seat and the white soldier was sitting down.

I continued without any further incidents to Anniston, Ala., where I had to change buses.

I would like to mention that during the limited time I felt strong emotions of fear, anger, and satisfaction through accomplishment. The hardest job was in not moving at first, when confronted by the driver. Each small victory gave me new confidence for the next encounter.

I must not close without adding that the times when I felt most afraid and most alone, I looked out of the window and thought of Psalm 121. It was a great help and comfort.



## Protests

## Carnegie

## Beating

CARTERSVILLE, Ga. — (SNS)—

A white teacher, who describes herself as "Georgia born and Georgia bred" in a letter to the Tribune News has protested the recent beating of Rev. Amos Carnegie during a bus trip from Atlanta to Chattanooga.

The woman is Miss Loyce F. Carnegie, member of the faculty of Cassville High School, who wrote "Life, liberty and the pursuit of happiness become empty words not actuality, when a passenger can be assaulted, beaten and kicked by other passengers because of where he is sitting. When the incident is permitted by a bus driver and not protested by a single passenger it is time for the public to voice opinion and see that justice does not miscarry."

Miss Carnegie asked in her letter "Who were those concerned? The victim was a minister, enroute to the District of Columbia. He was assailed by two white men, unidentified by name or profession, who presumed upon themselves to see that no one of colored skin sits in the middle of a bus."

The Cassville High teacher said "In our churches we talk of missions, foreign missions, brotherly love, charity, etc., but we are not honest with ourselves when we permit actions like this around us and do naught to remedy such. Why right have we to so much as discuss the caste system in Indian when right here in the shadow of America, we have these skeletons in our own closets."

Miss Carnegie hits the U. S.'s doubledealing on civil rights by asking "Where is our civil rights Committee which would not tolerate such in the U. S. A."

"If this is democracy, can you blame other nations for not wanting the Americans brand of Democracy? Who will ameliorate conditions?"

She continues with: "If this could happen to one citizen, the rights of all are jeopardized. It is a good thing that the victim of this atrocity rejected hospitalization from any company which permitted the assault. How fortunate was he in having the price for hospitalization of his own choosing and for flight

to the District of Columbia."

"I am for one, a citizen, free, white, over 21, am ashamed that it happened at all and especially near me. If I had been on that bus it would not have happened. I protest such doings."

## U. S. WON'T INTERVENE IN CARNEGIE BEATING

BIRMINGHAM, Ala. — The Attorney General's office has ruled that the Federal Government has no jurisdiction in the assault made by two white men on the Rev. Amos H. Carnegie on a Greyhound bus last December. The Rev. Mr. Carnegie had been severely beaten by the two passengers when he refused to observe the bus driver's instructions to move to the back of the bus.

## Attacked On Georgia Bus

## Minister Asks Ike's Aid On Rights Inquiry

(Special to the World)

WASHINGTON, D. C. — Rev. Amos H. Carnegie, who was beaten on a Georgia bus, has addressed a personal appeal to President Eisenhower. He charged that a Justice Department official who handled the case is not qualified to "carry out your noble platform of justice for all of the people."

The minister was beaten on a bus between Atlanta and Acworth, Ga., on December 8, 1952, when he refused to move to a rear seat. The Rev. Mr. Carnegie charged that his civil rights were violated and appeal to the U. S. Justice department.

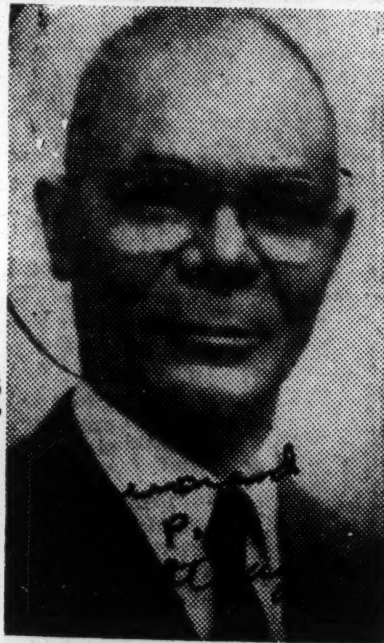
He released today a letter from an assistant attorney general which pointed out: "You are advised that your complaint has received the Department's careful attention. However, the information furnished by you indicates that the alleged assault involved no violation of Federal statute. Consequently, we have no jurisdiction or authority to institute presecutive action."

The minister's letter to President Eisenhower declared that he was

beaten by two white passengers on the bus after he refused to relinquish his seat near the front.

The appeal continued: "Upon leaving the hospital in Washington, I called the Civil Rights division of the Department of Justice, and was advised to report the matter to the District FBI, which I did."

"Now an Assistant Attorney General of the United States has said that the Federal Government has no jurisdiction in the case of such



AMOS H. CARNEGIE

a brutal and barbarous assault on the interstate Commerce Commission agency of the Federal government.

"I am afraid that (this Assistant Attorney General) cannot help you carry out your noble platform of justice for all of the people of the United States, regardless of race, creed, or color."

"I am a Christian. I am not vindictive. I believe the word of God, which says, 'vengeance is mine; I will repay,' saith the Lord, but God can only work through men, and you cannot carry out God's will for you, unless you have men around you who will deal justly with all men."

The letter was dated March 12

## SEEKING THEIR RIGHTS:

## Greyhound Stockholders Protest Color Policy

NEW YORK — The issue of racial discrimination will be raised by minority stockholders at annual meetings of the Greyhound Corp. and of the United Cigar-Whelan Stores Corp. in Wilmington, Del. this week.

The Greyhound meeting will be picketed by James Peck and Bayard Rustin, representing a group of nine minority stockholders from four states.

They will distribute a statement signed by all nine calling for abolition of the segregated seating system on southern buses.

The United Cigar - Whelan Stores meeting will be attended by two minority stockholders, James Robinson and Clayton Flowers, who will raise the issue of ending discrimination at whelan fountains in Washington, D.C.

A campaign to open Whelan soda fountains in Washington to all races is being conducted by the Washington Interracial Workshop, an affiliate of the Congress of Racial Equality.

The nine stockholders signing against the practices of both Greyhound and Whelan are:

Mrs. Anna Ames, 1349 Washington ave., Springfield, Mo.; David Berkinoff, 315 East 209th st.; Samuel Wolfson and Mrs. Frances Wolfson, both of 34 Medford Ave., New York; Mrs. Eula Morris, 10531 Earle ave. and Mrs. Caroline Urie, 997 Richmond road, Cleveland, Ohio; James Peck, 552 Riverside drive and Bayard Rustin, 217 Mott st., New York; Mary Winsor, The Warwick, Locust and 17th sts., Philadelphia.

## Bus company faces suit

\$50,000 sought by Los Angeles man

WASHINGTON — (NNPA) — Charging that the Greyhound corporation and its subsidiary, the Southwestern Greyhound

Lines, Inc., had discriminated against him in violation of the California Civil Code, the 14th Amendment and the rules and regulations of the interstate Commerce Commission, a 63-year-old man has asked damages of \$50,000 from the bus company.

In a complaint filed with the ICC, Ben Maddox of Los Angeles says he purchased a ticket in the Greyhound ticket office in Los Angeles and boarded a Greyhound bus en route to Texarkana, Texas.

## Stopped in Dallas

The bus stopped in Dallas. At this point, he says, bus drivers were changed. The new bus driver, he asserts, ordered him to the rear of the bus. Says the driver knew the back seat was already fully occupied by passengers and no seat for him was available.

Because of his age, he states, he was unable to stand and ride on the bus. He adds that he was forced to crowd himself between the passengers who were occupying the rear seat.

He conducted himself at all times as a gentleman, Mr. Maddox asserts, but because he is colored the Greyhound Lines fully, wrongfully and maliciously discriminated against him by refusing to permit him to occupy and of the vacant seats, he alleged.



# Forced Off Bus By GI, Plans Suit

287-1-  
Atty. A. Donald Bourgeois announced Wednesday he will file \$25,000 civil suit against the Greyhound Bus company in behalf of Andrew Corbin, 32, formerly of Milledgeville, Ga.

Corbin, who now resides with his sister, Mrs. Cheney Thomas, of 6108 Greenwood, said he was forced off a Chicago bound Greyhound bus about midnight Sunday, (Sept. 27) near Lebanon, Ind., by a soldier armed with a knife. *Chicago, Ill.*  
*Sat. 10-10-33*  
Corbin said he boarded the bus at Cincinnati, Ohio and sat beside a white passenger about three seats from the front of the bus. The soldier and a girl occupied seats behind him, Corbin said. Corbin said the soldier remarked that "Nobody sits in front of my girl." and drew a knife and threatened to kill him.

Following the threat, Corbin said he asked the driver to let him off the bus when no move was made to control the soldier.

Indiana State Trooper, R. M. Deeter saw Corbin walking along a desolate highway. The bus was stopped by state police and the passenger's luggage was recovered.

Police made arrangements for Corbin to obtain a seat on another bus enroute to Chicago.

Mrs. Thomas said her brother was so disturbed and frightened by the experience that he has been hunted by nightmares.



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Greyhound Bus Lines, Inc. (Pennsylvania)

# Club Leader Sues Bus Co.

PITTSBURGH—Mrs. Alma Illery, nationally prominent women's leader, has filed a \$500,000 civil rights suit in Federal Court against the Pennsylvania Greyhound Lines, Inc.

Mrs. Illery, president of National Achievement Clubs, Inc., claimed her constitutional rights were violated when she was forced to take a rear seat of a bus en route from New York City to Pittsburgh.



# IC To Appeal Ruling Against Jim Crow Plan

The Illinois Central Railroad planned this week to appeal a Chicago superior court ruling banning segregation of Negro passengers within Illinois.

Attorneys for the railroad said they would appeal a decision made Friday by Superior Court Judge

James J. McDermott, in which he upheld a no-discrimination order issued to the railroad last May by the Illinois Commerce Commission.

## NURSE COMPLAINS

The commission acted on a complaint of Miss Vera Johnson, a discriminated against while a passenger on the City of New Orleans train July 1, 1951.

Miss Johnson's complaint charged that she was handed a card by an employee of the railroad on which was printed "Car 2 City of New Orleans," which, she said, was a coach near the front of the train.

She asserted she was denied permission to enter any other coach even though all seats on Car 2 were occupied. She was en route from Chicago to Canton, Miss., at the time of the incident.

## CAR-CARD SYSTEM

A state commerce commission ruling May 14, 1952, prohibited the railroad from using a car-card system on assigning passengers in a manner which segregates passengers on the basis of race or color.

The Illinois Central appealed to Judge McDermott after the commission issued its no-discrimination order.

A previous "anti-Jim Crow" order dealing with inter-state transportation was issued by the U. S. Supreme court in May, 1951, but did not apply to Illinois Central trains operating within state borders.

## Says Illegal Seating On IC Renewed

Another example of illegal seating in Chicago of Negro passengers on the Illinois Central's City of New Orleans was disclosed to the Defender this week by Miss Ruth Smith, 649 E. 41st st.

Miss Smith on her way to Memphis purchased a ticket at Illinois Central station in Chicago and was given a white slip directing her to Car three.

She said that when she learned the purpose of the slip she destroyed it and attempted to board another car. A white train man, she said, prevented her from boarding another car occupied by white passengers and sent her back to the train gate to get another slip.

Car Three, she said, was occupied, only by Negroes.



# TENNESSEE WOMAN TAKEN OFF BUS AT PAULS VALLEY, THEN PUT BACK ON BY IRATE DRIVER

Jim Crow Proponent Gets Scared of Interstate Traveler and Seats Her by White Man

## VISITOR ALMOST HYSTERICAL ON ARRIVAL IN SOONER CAPITAL

"Heavens, but I prayed all of the way from Dallas to Oklahoma City" declared Mrs. Esther C. Weaver, grand secretary-treasurer of the Association of Colored Trainmen and Locomotive Firemen, when she arrived at the Black Dispatch office Thursday afternoon, in company with W. B. Mitchell, a veteran Frisco rail-roader.

### Almost Hysterical

Mrs. Mitchell was almost hysterical and in imminent state of collapse when she arrived at the Black Dispatch office, because of the inhuman treatment received from two bus drivers of a Continental Bus in which she left Dallas Thursday morning. Mrs. Weaver had been on the road for the past ten days visiting Birmingham, New Orleans, Baton Rouge, Alexandria, Menden, and Shreveport.

### Asked To Move At Dallas

Leaving Dallas at 6:10 Thursday morning Mrs. Weaver said she took a seat on the right side, three seats up from the back. The bus driver came to me immediately following his entrance and said "You are sitting too far up in this bus. Move farther back to the rear."

### Just Kept Her Seat

"I did not say a word to the bus driver, because as an interstate passenger I did not feel he had anything to do with the seating arrangements in the bus. My information is that this matter has been settled in the courts, and that when the bus driver asked me to move he was the one violating the law as interpreted by our highest courts" said Mrs. Weaver.

### Threatens Arrest

"I did not talk and I did not move, and at every stop we made between Dallas and Ardmore, where we changed drivers, this

to know I am a member of the American Nurses Association." I turned to a colored woman standing by and asked her to call an ambulance to take me to Oklahoma City, for it appeared at that moment I was going to faint, and I was rapidly going into a state of hysteria."

### Driver Gets Scared

"Something that I said about belonging to an organization must have scared that fellow. I distinctly said I belonged to the American Nurses Association, but he might have gotten the idea I said the NAACP, for his demeanor immediately changed."

While the colored lady secured a bowl and placed cool water on my brow the bus driver rushed up and picked up my luggage and said 'Come on back on the bus, I'm going to let you ride up nearer to where I am', and to my utter astonishment, he took me back on the bus, and in my judgment proceeded to violate the very law he was seemingly so zealously attempting to uphold. He actually sat me down beside a white man, and much nearer the front, and in this seat, he permitted me to ride into Oklahoma City" said Mrs. Weaver.

"As I took my seat he told the white passenger 'Don't discuss this matter with her.' The white man did not speak, and I was too distraught to have anything to say between Pauls Valley and Oklahoma City" said the Tennessee lady.

"At several of the stops between Pauls Valley and Oklahoma City the bus driver busied himself getting names and addresses of white passengers and he very audibly said 'She's going to sue, and will you give me your name and address so that you can testify that I was right, when the case comes up in court?'"

### Secures Names of Witnesses

"I think I'll dispose of my bus transportation and continue my visits on my itinerary on the train after I get to Kansas City" said Mrs. Weaver Friday morning just before she left Oklahoma City, "for I have learned train conductors have become more civilized in travel than bus drivers."

### May Start Riding Trains

"I think I'll dispose of my bus transportation and continue my visits on my itinerary on the train after I get to Kansas City" said Mrs. Weaver Friday morning just before she left Oklahoma City, "for I have learned train conductors have become more civilized in travel than bus drivers."

### Bad Travel On Back Seat

Mrs. Weaver said that in Tennessee and Louisiana she had rid-

## It's clearly up to us

If segregation of interstate bus passengers is to be ended, it will be up to the passengers to do it.

That was the tip-off given last week by John J. Wicker Jr., attorney for the Carolina Coach Co.

It came with the announcement by Mr. Wicker that his company would not appeal to the Supreme Court the \$251 judgment given James D. Williams.

Mr. Williams on route from Spring Hope, N.C., to Norfolk, Va., had been snatched off a bus at Rocky Mount, N.C., and fined because he refused to take a rear seat.

The Fourth United States Circuit Court of Appeals upheld the judgment of Federal Judge Sterling Hutcheson, who had made the \$251 award.

The bus company had appealed Judge Hutcheson's decision, contending it feared ruin if it were allowed to stand.

Other bus operators filed briefs with the appellate court, expressing the same fears and supporting the Carolina Coach Company's contention.

But while waiting for the case to come up in the higher court, the company began keeping statistics. Those statistics told a shocking tale of fear or indifference or both.

Of the more than seven million passengers who used the Carolina company's buses during the year, only two refused to obey the company's rule calling for segregation.

This means simply that of the many thousands of colored passengers last year, only two let it be known that to them segregation was distasteful.

The others permitted themselves to be pushed around illegally without complaint.

Mr. Wicker, in not appealing the Williams case, reveals his belief that all of those similarly affected in 1953, 1954, 1955 and ad infinitum will do the same.

Even with the courts ruling in our favor, James Crow will continue in robust health until we make him so costly concerns like the Carolina Coach Co. will refuse to support him.

In other words, we must use the weapon that we have forged with the help of the courts to hit these companies in their cash registers.

That's the only way we can make them change their tune.



38b 1953

No Back Seat for Her

# Co-ed Praised For Fighting Jim-Crow Law!

TALLADEGA, Ala.—Congratulatory letters from all over the country have been received by Miss Marye Weaver, senior at Talladega College, who challenged the South's jim-crow law by refusing to take a back seat on an interstate bus traveling from Georgia to Alabama.

Miss Weaver wrote of her experiences in the Talladega Student, a campus publication, revealing how the bus driver and a white GI attempted to force her to take a rear seat. Miss Weaver cited to these men the U. S. Supreme Court decision which says interstate bus passengers cannot be segregated.

Because of the importance of the article and the strong and courageous stand taken by Miss Weaver, the Courier reprinted her story in its May 16 issue.

Excerpts from some of the letters follow:

Dear Miss Weaver:

"I was very much interested to see your article in the May 16th issue of the Courier describing your experience in riding a bus from Georgia to Alabama. I want to congratulate you on your courage in standing up before the threats that you described. My guess is that there were a few people on the bus who also secretly sided with you although they probably were afraid to speak up."

GEORGE M. HOWSER.

National Project Secretary.  
The Fellowship of Reconciliation.

Dear Miss Weaver:

"Well, good for you! May this be the beginning of much activity by you along these lines until it will not be necessary! I admire your courage."

MRS. THOMASINA W. NORFORD.

Washington, D. C.

Dear Miss Weaver:

"Today there is a growing number like yourself who are engaged in similar challenges. The reward is more than satisfaction, it is the active strength that moves mountains."

JAUQUIN McCAIN.

Paterson, N. J.

Dear Miss Weaver:

"I am only a freshman at Lincoln University, but the segregation question in the South has been and still is a major problem which draws my interest considerably."

"I am from a small town in North Carolina. Even though I grew up in segregation, I am strictly civic-minded. That among other things is probably the reason I was inspired to write to say how much I admire your courage and intelligence in handling the situation in the manner in which you did."

"... I truly hope your article has made some of our people understand that we are a free people and that we should stand

## INTERSTATE BUS (GEORGIA-ALABAMA)

up for our rights, for if we fail to bear our own burdens we shall find ourselves lost in a world of unstable equilibrium."

ALONZO J. PERRY.

Lincoln University, Pa.

\* \* \*

Dear Miss Weaver:

"I admire you for the courage that you had in carrying out this matter. We need more people in the world like you who have the will-power and courage to fight for the rights of our people. I hope the soldier also learned a lesson from observing your performance."

ALVIN J. ALLEN.

Dillard University (sophomore).

\* \* \*

Dear Miss Weaver:

"A few more people with the courage you have would wipe out segregation and discrimination in all parts of the United States. Congratulations, Miss Weaver, that was a good job, not only of fighting for the rights of man, but for civilizing the Southerner."

"I have only lived in the United States for a year and a half. I am a medical student at Stanford University. My home is in East Africa. Comparing the two countries, the United States and East Africa whereas, East Africa requires technological civilization, the United States urgently needs civilization on human relations."

MUNGAI NJORAGE.

Stanford University (medical student).



# Hearing Scheduled for Negro Who Protested Bus-Station Segregation

## Lawyer Cites Lack of Law

A hearing was scheduled for next Thursday in Municipal Court yesterday for a Negro man who police said became disorderly when asked to leave the white persons' waiting room at the Greyhound Bus Station.

William Woodsnell, 59, of 818 S. Preston, was arrested in the Fifth and Broadway station at 2 a.m. on a charge of disorderly conduct.

In a letter to Police Chief Carl Heustis, Patrolman Hugh Canter said he and Patrolman Howard Uselton were called to the station to arrest a drunken man.

After the arrest of the drunken man, Canter said he and an official of the bus station approached Woodsnell and asked him to wait in the colored persons' waiting room until his bus arrived.

Woodsnell refused and became "very disorderly," according to Canter.

Woodsnell's attorney, C. Ewbank Tucker, said he would ask that the case be dismissed. He said Woodsnell had a ticket to ride a bus to Youngstown, Ohio.

"There is no law regarding segregated waiting rooms in Kentucky," Tucker said.

Heustis said Louisville police do not try to enforce segregation in the city.

Asked if he believed the arrest should have been made in this case, Heustis commented that he did not know just how "disorderly" Woodsnell became.

Greyhound officials declined to comment on the case.



# Client Put Under Bond; Negro Lawyer Also To Sit In White Waiting Room

## Charge Amended In Depot Row

A Negro arrested in the white waiting room at the Greyhound bus station was placed under a peace bond in Municipal Court yesterday. A charge of disorderly conduct against him was amended to a security warrant.

After the hearing, C. Ewbank Tucker, the man's attorney, announced he himself would sit in the white waiting room at 2 p.m. tomorrow. Tucker also is a Negro. The peace bond was imposed on William Woodsnell, 59, of 818 S. Preston, after Patrolman Hugh Canter testified Woodsnell became "very disorderly" in the station December 2.

### Language Called Abusive

Canter said an official of the bus station asked Woodsnell to move to the Negro waiting room. "Woodsnell jumped up and used abusive language in talking

to me, although I had not said a word. I did not attempt to tell Woodsnell where she should sit," Canter said.

Woodsnell said he asked Canter his name after the policeman used the word, "nigger." Canter denied he used the word. Woodsnell said he was in the station awaiting a bus to Youngstown, Ohio.

A Greyhound official said after Woodsnell's arrest that segregation at the station was "only a custom" and that he knew of no law regarding the matter.

### Just Wants Peace Kept

In placing Woodsnell under the bond, Judge Peter B. Muir said he was "not attempting to sell you where to sit in bus stations. All I want you to do is keep the peace."

Tucker contended throughout the hearing that Woodsnell was arrested only because he was sitting in the white waiting room. As the attorney left the rostrum, he pointed his finger at Canter and said, "I'll be sitting in the

white waiting room at 2 p.m. Saturday."

"Don't point your finger at me," replied Carter. "I don't care where you sit."

## BUS STATION SEGREGATION TAKES BEATING IN LOUISVILLE WHEN LOCALLY CHALLENGED

### Doughty Attorney Plants Himself in White Section as Challenge to Arrest INTEGRATION PROGRAM PROVES UNEVENTFUL

LOUISVILLE — (ANP) — Jim crow took a slight beating here last week as a local attorney successfully challenged segregation in a bus station in this land of Kentucky Colonels, fast horses and blue grass.

Louisville-situated on the south bank of the Ohio river—long has been the starting point for jim crow seating arrangements and other customs popular in Dixie. It also is here that Negroes traveling South must move to a special coach. It is also here that colored and white persons begin using separate waiting rooms.

It was the latter practice that Atty. C. Eubank Tucker challenged last week. He carried out an earlier promise to sit in the white waiting room. This he did for some 20 minutes without unpleasant repercussions.

Atty. Tucker, president of the Kentucky Bureau of Negro Affairs, said he hoped acts like his would "break the back" of such segregation customs. The lawyer promised to enter the white waiting room after a Negro, William Woodsnell, was arrested at the bus station Dec. 2 and charged with disorderly conduct. He refused to move from the white waiting room, according to a bus company official.

A Greyhound bus company spokesman stated that there is no company policy requiring segregation in waiting rooms. It is merely local custom.

Carl Heustis, police chief, issued an order that police shall refrain from enforcing segregation rules set up by private enterprise.

In his one-man stand against segregation, Atty. Tucker bought a bus ticket to Shelbyville to avoid possible arrest on a loitering charge. During his "brief" victory over jim crow, the Louisville attorney received support from many white patrons.

Two or three white women sat beside him and a soldier from Ft. Knox (Ky.) shook hands with him and said he approved his action.

Several Negroes also joined Tucker in the fight against segregation in the local bus station.

A few minutes after Tucker left the waiting room, everything returned to normalcy. Negroes used the colored waiting room and white persons used the one designated for them. However, many observers saw in Tucker's fight the beginning of the end for jim crow in bus stations.



## Free Ride Service Begun

# Negroes Boycotting Buses After Baton Rouge Dispute

BATON ROUGE, La. — (P) — A Negro boycott of city buses entered its fourth day Monday with more than \$1,000 collected in Negro churches to help a free ride service.

T. Roosevelt Smith, executive chairman of the board of the United Defense League, said Negro churches took up the collection to help in the expense of "fair lift" cars offering free transportation to Negroes who will not ride the buses.

Another Negro leader said Negroes will continue to refuse to ride buses until Negro bus drivers are hired for Negro sections of the city or until separate franchises are given to independent Negro bus lines.

The Rev. T. J. Jemison, president of the UDL, made that statement. He added that refusal to ride is not a boycott—"that illegal. We're just not riding."

The Negro strike began Thursday shortly after bus drivers won a four-day strike against a city ordinance which allowed Negroes to sit up front. The drivers said the Negroes refused to move back to other seats when white passengers got on the buses.

The strike ended their strike when the attorney general ruled that the March 11 city ordinance permitting Negroes to sit up front is contrary to state segregation laws.

## 100 Bus Drivers Strike Over Seating of Negroes

BATON ROUGE, La., June 15 (UP)—Bus drivers struck here today to protest a new city ordinance permitting Negroes to sit in the front part of vehicles when the rear seats are filled.

"The sole issue is racial segregation," said Roy Finley, secretary-treasurer of the Employees' Association of the Baton Rouge Bus Company.

The walk-out of almost 100

drivers cut off bus service for 25,000 persons.

The ordinance was passed to fulfill a campaign pledge by Mayor Jesse Webb Jr. It specifies that Negroes take seats from the rear forward and that whites take seats from the front back.

The drivers voted to strike after friction developed when some of them ordered Negroes to yield places in the front so that whites could be seated.

## Transit Drivers Strike Over Jim Crow Seats

BATON ROUGE, La. — (INS) — Baton Rouge was without bus service Monday after about 100 drivers, members of an independent union, voted to strike in protest of a new company method of separating white and Negro passengers.

Company officials maintain that they are simply complying with a new city ordinance which requires white passengers to be seated from front to rear and Negro passengers from rear to front.

The drivers argue, however, that this represents a change of working conditions from the old custom of reserving the front third of the seats for white passengers, the rear third for Negroes and the center third on a "first-come-first-served" basis.

Roy Finley, secretary-treasurer of the employees' association of the Baton Rouge bus co., said: "The issue is race segregation. That's the whole thing."

Finley said the old system was designed to "reserve enough seats" for people of both races. He said the new policy could leave Negroes who had entered first in possession of all the seats, and the white commuters standing. He called this "objectionable."

The official declared there has "seldom" been any situation in which Negroes or whites filled up their allotted portions and had to stand while seats in the remaining third of the bus remained unfilled.

A meeting of seven committee-men from the association with high company officials was scheduled for Monday evening. Joseph Guild, president of the United Transit Company, flew from Chattanooga to attend the negotiations. Meanwhile the strike was still in progress. It stranded an estimated 25,000 persons.

## Bus Boycott Step Settled

### Free Ride Move Obtained Results

BATON ROUGE, La. — Colored riders ended their boycott of city buses here last week after carrying on for five days their "fair ride" service, which saw many thousands cooperating to break down bus J.C. Timerson

T. Roosevelt Smith, executive chairman of the United Defense League, said churches collected more than \$1,000 to help finance the "fair lift" which offers free transportation to all persons refusing to ride the buses.

However, on Friday night the "boycott" was settled at a stormy City Council meeting attended by 350 citizens and 70 policemen.

The boycott started shortly after bus drivers ended a strike against a city ordinance that permitted colored patrons to ride in the front of busses passing through colored sections.

The strike was ended when the Attorney General ruled the ordinance went against Louisiana segregation laws. The "fair lift" was immediately organized.

At the meeting drivers for the Baton Rouge Bus Co. and members of the United Defense League agreed to accept an amendment to a city ordinance which would reserve two long front benches for whites, one long back bench for colored riders and leave those seats in between unrestricted, to be filled on a first-come basis.

# Baton Rouge Transit Company Is Boycotted

BATON ROUGE, La. — (INS) — A bus boycott by Negroes continued in Baton Rouge Friday. Baton Rouge Bus Co., said:

There was no threat of violence. Bus company officials said unofficially that the company cannot stand a long boycott as the Negroes provide 73 per cent of the revenue.

Miss Mildred DuBois, a member of the City Council, reported several telephone threats on her life, but was unable to tell just what the threateners wanted. She blamed the original trouble on "inflammatory pamphlets" which advised Negroes to sit where they wished on busses in the city.

The Baton Rouge bus company's policy has been to provide that Negroes and whites each take one third of the seats, with a middle third reserved on a first come, first served basis.

The boycott by Negro passengers followed a decision by bus drivers Thursday to resume transit service, which was suspended Monday when members of the independent union voted to strike in protest of a new company method of separating white and Negro passengers.

The transit drivers stopped work Monday, leaving about 25,000 daily riders without public transportation when the city government passed an ordinance requiring white passengers to be seated from the front toward the rear of the bus, and that Negro passengers be seated from the rear toward the front.

## FOUR-DAY STRIKE ENDS

The four-day strike ended when the drivers were told that the city ordinance they protested was in conflict with a state law which requires separate seats for Negro and white passengers.

The drivers based their decision to strike on a contention that the new seating arrangement represented a change of working conditions from the old custom of reserving the front third of the seats for white passengers, the rear third for Negroes, and the center third on a "first-come-first-served" basis.

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## File Test Suit On Bus Seating In Baton Rouge

Baton Rouge (Special to The Weekly.) — A suit against the city to test the validity of an emergency city ordinance which moved Negroes from the front seats of city buses, was filed Monday in district court by attorney Bruce C. Bell, representing a battery of petitioners, headed by Rev. T. J. Jemison, president of the United Defense League, which staged a seven-day boycott of the capital city buses after the attorney general set aside the old ordinance.

The ten-page petition asks for a declaratory judgment rescinding the emergency ordinance and reinstating the previous ordinance which permitted Negroes to sit up front and retain their seats when white passengers came aboard the buses.



# Boycott Brings Partial Victory

**Compromise Accepted Reluctantly**  
*Pittsburgh, Pa.*  
*Sat. 7-4-53*  
*Courier*

By ERNEST A. CURRY  
 (Staff Correspondent)

BATON ROUGE, La.—A bitter dispute over seating conditions on public buses here was temporarily ended last Wednesday night when the Baton Rouge City Council amended a controversial ordinance to permit unrestricted seating on a segregated basis.

The amended ordinance was "accepted as a compromise with reluctance" by Negro leaders who stated their intentions of filing a suit through the NAACP to test the constitutionality of the state's segregation laws on common carriers.

More than 10,000 Negro citizens assembled in the Memorial Stadium here Thursday night to hear leaders declare an end to "Operation Fair Lift" which provided free rides for Negroes during the seven-day boycott of the buses following a strike of 95 drivers against a segregated seating ordinance.

"FREE RIDE" signs were removed off automobiles, however, leaders did not urge Negroes to patronize the city buses.

Friday morning a few Negroes were observed riding the buses but many said they would rather use private transportation or walk until the legality of a new emergency seating ordinance is tested.

The United Defense League, headed by the Rev. T. Judson Jemison, and white drivers of the Baton Rouge Bus Company, who went on strike a week previous because a recent city ordinance had erased unre-

stricted seating arrangements, agreed to the amended ordinance providing two reserved long front seats for whites, one reserved long rear seat for Negroes, and those in between to be on a first-come, first-served basis.

THE CONTROVERSIAL issue lasting over ten days in the state's capital began when white bus drivers went on strike following enforcement of the city ordinance passed March 11, providing for unrestricted seating of passengers on a first-come, first-served basis.

On the third day of the strike parish Attorney General Fred S. LeBlanc ruled that the ordinance was in conflict with state laws requiring separate seats or compartments for white and Negro passengers on common carriers.

The bus drivers went back to work, but the Negroes then started their fight against the move.

Following a radio plea by Raymond Scott, secretary of the United Defense League, a powerful organization of Negroes in this city, Negroes refused to ride the busses, thus crippling the bus company's operations.

SUBSEQUENTLY, the bus company operated its vehicles without Negro passengers as they followed the league's plea en masse.

Two days following the boycott of busses by Negro passengers, H. Flynn Cauthern, manager of the company, estimated his firm's loss at \$1600 daily, and commented: "A continuation of this loss will ultimately mean that we will have to cease operations."

F. A. Piper, public relations officer of the League, told the Courier that over 150 vehicles were put into use by the League through cooperation with private owners, and within a few days following the boycott of the busses, they had contributed over \$6000 to continue the movement.

At a mass meeting Monday

night in the Capitol Avenue High School, the Rev. Jemison addressed over 3000 Negroes on the issue.

He stated that the only way to solve the problem would be for the city to provide one of the following:

- 1—Negro bus drivers for lines operating in predominantly Negro areas;
- 2—Securing of a franchise for a Negro bus company to handle transportation, or
- 3—Maintaining the March 11 ordinance providing for unrestricted seating arrangements on a first-come basis.

LeBlanc's new ruling which basically retains much of the March 11 ordinance, provides for reservation of a limited number of seats for Negroes and whites. Under the March ordinance there were no reservation of seats.

## Question City Law's Validity

# Carry Baton Rouge's Bus War Into Court

BATON ROUGE—Fourteen Negroes, led by the Rev. T. Judson Jemison, filed suit last week in the Nineteenth District Court here asking for a declaratory judgment on the validity of a new amended city ordinance which provides segregation rules for buses.

The new ordinance was passed to end a week-long boycott of the buses by Negroes following a strike by white bus drivers protesting a March 11 ordinance which provided for unrestricted seating on the carriers.

The group said the new ordinance is not valid because it was adopted as an emergency measure when no emergency existed.

THEY ALSO claimed it is in violation of the civil rights provision of the city charter, the state constitution, the U. S. Constitution and the United Nations charter.

Bruce Bell, youthful attorney, acting on behalf of the United Defense League, filed the suit last Monday claiming that "no valid emergency for the preservation of public peace, health, or safety, had been shown in the city council's action in rescinding the March 11 ordinance permitting equal seating of all races on the buses, and substituting the June 24 ordinance guaranteeing a certain few seats for members of each race."

The petitioner asked the court to set aside the June 24 ordinance as being "without foundation, without authority, illegal, invalid, and procedurally incorrect."

THE CASE has not been assigned a date for hearing, however, a spokesman for the UDL said the league is pressing for speedy action.

Named as defendant is the city of Baton Rouge. Petitioners listed included the Revs. T. Judson Jemison, St. Clair McDonald, Felton B. Hitchens, Edward D. Billups, A. J. Belton, T. Roosevelt Smith, Raymond Scott, W. V. Reed Sr., Adolph Wiggins Sr.,

Paul LeBlanc, Clay Williams, Robert Guernsey, Dr. George Butler, and Mrs. Fannie Washburn.

## Bus Segregation Dispute Settled

BATON ROUGE, La. June 25 (UP).—A bitter racial dispute marked by a five-day boycott of the local transit system by Negroes was settled "with reluctance" today after a stormy City Council meeting attended by 350 citizens and seventy policemen.

Drivers for the Baton Rouge Bus Co. and members of the United Defense League, a Negro group, agreed last night to accept an amendment to a city ordinance which would reserve two long front benches for whites, one long back bench for Negroes and leave those seats in between unrestricted, to be filled on a first-come basis.

City Attorney Gordon Dean read a statement from the league which said: "Members of our race will accept this compromise with reluctance."



# Boycott In La. Forces End Of Absolute Jimcrow

*Eagle*  
*Oklahoma City, Okla.*  
BATON ROUGE, La. (ANP) — Negroes, banding together as one, pulled a 90 percent effective boycott here last week and forced the end of absolute Jim Crow on the local buses of Baton Rouge, the state capitol of Louisiana. As a result of their unified fight, Colored riders gained the right to sit anywhere on buses except for the two side seats in the front. Whites may sit anywhere on local transit lines except the rear seat across the back of the bus.

The city council of Baton Rouge fair lift. Negroes have raised more in an emergency action approved than \$1,000 to support their cause. The above plan which it considers T. Roosevelt Smith is executive of an acceptable arrangement in an chairman of the board of the UDL. effort to end a week-long boycott. The Rev. T. J. Jamison, president of the Baton Rouge Bus Co. by the UDL, said this action is not a boycott. He declared.

The trouble all started two weeks ago when the city council passed ordinance ending segregation indirectly on the city buses in keeping with a campaign promise made by the city's mayor went into effect. Under the new law Negroes could keep their seats in the front of the bus if they boarded before whites did, and would not have to move to the rear as seats were emptied. They also could sit up front if no rear seats were available.

Because of this law, the company's white bus drivers refused to take their posts. They went on a four-day strike. This resulted in an opinion by Fred S. Leblanc, state attorney general, that the city ordinance violated the state segregation laws. When this ruling was announced the white bus drivers returned to work.

This in turn drove the city's placid and harmonious city where Negroes, who make up two thirds of the bus line's passengers, into action. They refused to ride the bus lines making these demands:

1. The company abide by the new city ordinance.
2. The company hire Negro bus drivers or the city issue a separate franchise to allow Negroes to operate their own bus lines.

To demonstrate their intentions, the Negroes then organized what they called a "fair lift" free auto-service. Under this program about 150 automobiles have been utilized to transport them.

Considering the Negroes' demands, there is no assurance that the city council's compromise action will end the boycott.

Through the United Defense League, which is operating the

the Mayor-President, Union representatives, and the City Council is granted for a Negro owned and operated bus system. It is unofficially that more than \$2,000.00 was raised by churches on Sunday, June 21 to support the free ride movement.

Upon this ruling, the bus drivers agreed to return to their routes on Friday, 19 June.

Negroes under the leadership of the Rev. T. J. Jamison, President of the United Defense League, had appealed to the local authorities to sustain the city ordinance.

However, when the decision of the Atty. General was released, this dauntless leader called a mass meeting Thursday night in which it was decided that Negroes would not ride the city buses and a hasty free ride pool was organized and money was raised for broadcasts.

Raymond Scott, Secretary of the United Defense League went on the air at 11:30 Thursday night with information relative to decisions reached at the mass meeting, namely: that Negroes would not ride the city buses until the recent ordinance was recognized by bus drivers or until a franchise could be obtained for a Negro corporation to operate a bus system.

Few, if any, Negroes boarded buses Friday morning. Cars manned by volunteers made the routes and workers arrived at work on time.

A meeting was called by the Parish Attorney for Saturday, 19 June between the Mayor President Jesse Webb, Jr., union representatives, City Council, and representatives of the United Defense League. No results were obtained from this meeting inasmuch as the attorney for the union was out of town and that faction was not officially represented.

Saturday night the officials of the United Defense League called another mass meeting which was attended by more than one thousand Negroes. The negative results of the meeting that morning were explained by the Rev. Jamison. During his talk he mentioned that gasoline costs at wholesale prices, which were made possible by several of the Negro owned service stations, was costing about \$250.00 per day. An offering was called for and the sum of \$1,189.69 was raised.

It was concluded that the free rides would continue until the ordinance on seating is approved by the Bus Drivers Union, or until Negro Drivers would be permitted to replace them in predominantly

## Drivers Score Point

## Louisiana Overrules 'Fair' Bus Ordinance

BATON ROUGE, La.—Local buses were virtually empty here Saturday following the resumption of service after a four-day strike by drivers. More than 20,000 bus-riding citizens joined in the boycott of the transportation service after the state's Attorney General ruled invalid an ordinance which provided equitable seating for whites and Negroes in this city.

The ordinance, passed by the City Council which became effective last week, resulted in a strike by the bus drivers after two of them were fired because of failure to abide by the law.

THE DRIVERS did not return to work until the Attorney General's action invalidated the ordinance. The city law, which eliminated the special reserved seat clause in the segregation law, and permitted Negroes to sit wherever there was an unoccupied seat . . . but specifically provided that "no passengers of different races shall occupy the same seat," had been hailed by both white and Negro citizens.

Bus drivers, claimed however, that the law was unfair to white citizens.

THE BATON ROUGE Branch of the NAACP, which had sponsored the ordinance, had widely circulated pamphlets throughout the city, advising Negroes of their rights.

"Don't be loud and unruly. If the driver tells you, you can't sit in the front of the bus, quote the law to him and don't move."

"If he calls the police and the police tell you to move, quote the law to him. If he insists, don't resist arrest, but get his name or number so that he can be reported to the proper authorities."

When the Attorney General invalidated the action, a mass meet-

ing was called by the NAACP, with the Rev. T. J. Jamison, chairman of the social action committee. The Rev. Mr. Jamison called for the boycott of the bus service. Members of City Council pointed out that not one protest of the city ordinance had come from white or Negro citizens. "Obviously," one councilman remarked, "the bus drivers decided to take the law in their own hands."

## ANSWER CITY

The Negro citizens, invoking the Uniform Declaratory Judgments act, filed suit against the city charging discrimination. The city answered that the complainants had no right or cause to sue. The case was argued orally July 20 before Judge Charles A. Holcombe.

## Louisiana Bus Case Suit Filed

By CARL STEWART

BATON ROUGE, La.—(Special)—In a special interview with the United Defense League attorneys, Bruce Bell and Johnnie Jones, it was learned that written arguments in support of the UDL Bus case against the city of Baton Rouge had been filed in court on Aug. 3, 1953.

The United Defense League case grew out of the recent boycott of public buses by the Negro citizens of this city, which was terminated when the governing authorities of the city enacted an ordinance which reserved for Negroes the rear seat of the buses.



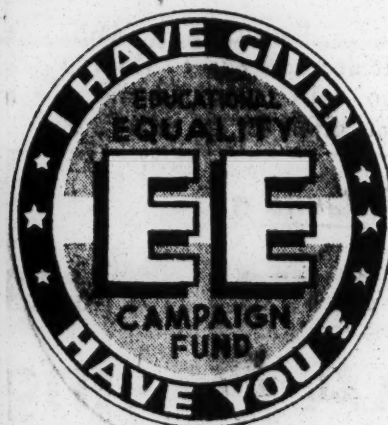
# Baton Rouge Bus System Feels Boycott Aftermath

BATON ROUGE — The boycott of Baton Rouge city buses by Negro citizens over a revised statute governing the seating of passengers of different races ended several weeks ago but its effects are still being felt by the bus company to the extent that service has been curtailed, it was disclosed Thursday.

Bus Company Manager H. Flynn Cauthen said Friday that "22 to 33 per cent fewer passengers are riding the buses daily and that fourteen drivers have left the firm." He said that some of the drivers were dismissed "for cause," that none has been replaced, and the buses have been running on a curtailed schedule more than a week.

of the United Defense League, and others have since filed a lawsuit contending that the amended city ordinance violates the state and Federal Constitutions as well as the human rights granted in the United Nation's charter.

Bus Company Manager Cauthen attributed the present decline in the number of passengers to large numbers of persons continuing to use transportation arranged during the bus drivers' strike and the subsequent boycott.



Bus drivers for the company went on strike June 15 in protest against a new city ordinance which permitted Negro patrons to occupy any seats in buses on a first-come, first-served basis. The only provision was that they fill buses from back to front.

The drivers called off their strike four days later when the attorney general ruled the ordinance illegal under Louisiana law, but Negroes, led by the United Defense League, boycotted the buses.

The league operated a "free lift" for Negro bus riders who make up half of the 25,000 daily bus riders. "Operation Free Lift" was ended following several conferences and a revision of the city ordinance.

The Rev. T. J. Jemison, head



## NAACP Honors Pair For Fight For Integration

ROCKY MOUNT, N. C.—(ANP)—W. C. Chance, retired principal of the Chance High School, Pamlico, N. C., and John D. Williams, president of the South Nash County, N. C. branch of the National Association for the Advancement of Colored People, were honored at a banquet held here at St. James Baptist Church, 15-53.

The two men were praised for their part in the fight against the segregation of the races on common carriers in the South.

Chance brought suit against the Atlantic Coast Line Railroad for his arrest in Emporia, Va., on June 25, 1948 for refusing to move to a coach designated for Negro passengers while he was on a return trip from Philadelphia, Pa. to North Carolina. He sued the company and the conductor for \$25,000.

After lengthy litigation Chance was finally awarded \$55 and the net result of the Supreme Court's refusal to intervene in the Fourth United States Circuit Court of Appeals' decision that segregation of passengers is "an unconstitutional burden upon interstate commerce."

Williams sued the Carolina Coach Bus Company for refusal to move to a seat designated for Negroes during a trip from Spring Hope, N. C. to Norfolk, Va. where Mr. Williams is employed at the Norfolk Naval Yard. He was awarded damages for false arrest and an illegal detention.

Herman L. Taylor, Raleigh, N. C. lawyer, was the main speaker at the meeting.

## Two Whites Cut Seriously

# Northern Man Dies Protesting Jim Crow

COATS, N. C.—(ANP)—An argument, apparently over jim-crow seating arrangements on a Greyhound bus, last week resulted in the fatal shooting of a young Northern Negro, and the serious slashing of two Southern white men.

The dead man was Frederick Simmons, 30, Stamford, Conn., who was shot by a local constable while attempting to escape from the scene of the cutting here.

CUT SERIOUSLY were R. S. Blanton, driver of the bus, and Stacy Byrd, a Coats resident who joined in the pursuit of Simmons.

There will be no inquest into the fatal shooting because Grover Henderson, local coroner, has ruled that C. E. Moore, constable of Coats, acted in self-defense when he shot Simmons.

According to reports, the argument between Simmons and Blanton started when Simmons refused to take a back seat on the bus when Blanton ordered him to do so.

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According to reports, the argument between Simmons and Blanton started when Simmons refused to take a back seat on the bus when Blanton ordered him to do so. (North Carolina law requires Negroes to be seated from the rear of a bus or other public passengers vehicle).

The altercation started as the bus approached Coats from Raleigh. After Simmons cut Blanton, he jumped from the bus and ran. Byrd was stabbed when he attempted to stop Simmons. It was then that, according to reports, that the constable shot Simmons.

Simmons' carving job on Blanton required 110 stitches to repair. Hospital reports said Blanton is improving.

Byrd's rounds required some 30 stitches to close.

## Inductees riot on Carolina bus

SANFORD, N.C. — Returning here from pre-induction physical examinations in Raleigh last week, a group of 32 inductees (22 white and 10 colored) staged a "young riot" aboard the bus and in the streets here following their return.

None of the men, sent to Raleigh for examination by the Selective Service Board 22 of Lee county, was injured seriously in the free-for-all battles that raged aboard the bus.

Although the statement could not be verified immediately, reports were that the men in charge of the inductees, had been permitted to leave the bus while in transit and had purchased a quantity of whiskey and beer.

Bus Driver Proves Hero  
The operator of the bus, who successfully drove his vehicle back to Sanford safely, while keeping one eye on the road and the other on his unruly charges, emerged as the hero of the battle. 10-3-53

Commenting editorially on the incident, a Raleigh daily said: "Fortunately, none of the State Selective Service Board's 22 white and 10 colored charges was injured seriously in free-for-all fights on a bus and in Sanford after their pre-induction physicals in Raleigh..."

"...But the incident should cause immediate action for proper supervision of such groups in the future.

Wants Soldier In Charge  
"Army personnel doubtless could be provided to accompany groups destined for Army duty to replace the present system of putting one of the selectees in charge of the group as a leader.

"The Lee county group that chose to fight proved that the leader system can be futile if the group chooses to get out of hand.

"The State Selective Service headquarters must prevent such occurrences or assume the major responsibility for any future outbreaks among the races when they are combined for pre-induction physicals and induction journeys to Raleigh."



## The Ugly Cab Situation

With the spring municipal election in the offing and city fathers planning a new two-million dollar water bond issue, it appears to the Black Dispatch the Oklahoma City Negro Chamber of Commerce should be calling weekly meetings just now to cope with the many and various issues jutting out of current situations.

A matter happened this week that is of considerable importance and should claim the immediate attention of the Negro Chamber of Commerce. As we sat in Judge Van Meter's court Friday morning, a committee representing a joint conference of bus drivers and Denco bus officials reported to the court that a major point in their dispute had been resolved through agreement to use the Negro bus zone of the ABC Cab Company at the bus terminal as a loading depot for the Denco lines.

As everyone knows, a bad impression is made upon Negro travelers arriving in Oklahoma City when they get off a bus or train and stand for long periods awaiting for transportation. No white cab driver will pick up a Negro passenger in Oklahoma City at any station until every white passenger has been loaded, and in most instances Negroes must seek counsel of the red cap who phones for an ABC that sometimes never comes.

This writer, who has done a great deal of traveling in the past twenty-five years, can personally attest to the fact that no provision is made for Negro taxi drivers at the Santa Fe or the Union station, and common decency would urge that under the present arrangement a station starter should be provided at both railway stations who would have authority to load passengers, irrespective of race, in any and all of the cabs. It is a disgrace to our democracy that aged black men and women, many of them ill and hardly able to stand up, must be delayed for hours getting to their destinations in Oklahoma because of this unbrotherly conduct of our transportation agencies. The city fathers can correct this situation and a delegation of Negroes should call upon the councilmen right away with insistent demands along this line.

In the Denco bus stop incident, reported above, the Negro bus stop is designated at a spot away from the bus station, and down near the alley. It is so far from the bus terminal we have never before known about it, but when this isolated spot is offered for the use of whites in a union strike dispute, it shows calloused disregard in which the Negro traveling public is placed.

Some idea of the total disregard given to the needs of the Negro traveling public at the bus station can be gleaned from the fact a Negro red cap attendant engaged this writer in discussion respecting lack of local bus service for the terminal station, during a recent conversation not two weeks ago. This red cap said there were no provisions made for ABC cabs to stop at the bus terminal, and that he and other red caps were constantly put to the task of persuading white cab drivers they personally knew to haul Negro passengers from the terminal, who they knew had been seated there sometimes two or three hours. This intolerable situation should end and a delegation from the Negro Chamber of Commerce should insist that the city fathers do something about it by ordinance.

This writer has traveled all over the nation and we have no hesitancy in saying that local transportation facilities are worse in Oklahoma City than any place we know of. We on one occasion were hauled from one station to another seated by the side of white people in Richmond, Virginia, the capital of the Confederacy, and everyone knows in the city of Washington a black traveler can catch a cab as quick as a white at the Union station. In the nation's capital a Negro cab driver takes his turn in one line and drives up to the station to take his passengers as they come.

Our city fathers have every reason to assume we are satisfied with travel conditions as outlined above if we at no time make complaint respecting same, and the best time to make your desires known is during the period when office holders are asking for your suffrage. This whole matter can be settled, and settled satisfactorily, if Negroes in the Sooner capital have the intestinal fortitude to present this ugly picture to the city council immediately. We are of the opinion the ABC cab stand was suggested as a satisfactory stop for Denco because it is generally known as being an out-of-the-way spot.

## Scores Abuse of Bus Passengers in Okla.

Carl R. Johnson, president of the local NAACP branch, Wednesday in a letter to the Union Transportation company of Tulsa, Oklahoma, condemned the mistreatment of a Kansas City couple while passengers on a company bus from Ada to Okmulgee, Okla., July 21.

The couple, Mr. and Mrs. Leroy Young, 917 Garfield, told Johnson that a police officer intimidated them with a revolver after they had refused to move to the rear of the bus on the grounds that they were interstate passengers.

The Youngs were visiting relatives in Oklahoma at the time of the incident. Mr. Young, a native Kansas City man, is employed as a butcher. Mrs. Young, a native of Oklahoma, has been a resident of Kansas City for the past 35 years. Both are members of the Second Baptist church.

Johnson's letter deplored the "reprehensible" conduct of the police officer at the invitation of the bus driver and the "unnecessary abuse" of the two passengers:

The text of Johnson's letter: Gentlemen:

This is to call your attention to two Negro passengers who were unnecessarily abused and mistreated while passengers on your bus line from Ada, Oklahoma to Okmulgee, Oklahoma on or about

Allen is located with the hope that he too may know that this type of conduct is not the wish of your company. Public abuse of passengers should not be condoned by officers in the state of Oklahoma.

Very truly yours,  
Carl R. Johnson  
Branch President

July 21, 1953. It appears that they bought tickets in Ada, boarded your bus and sat in the first vacant seats they discovered in the middle of the bus. They rode for about fifteen miles and the operator ap-

proached and told them they would have to sit in the rear of the bus. They were reluctant to do so on the theory that they were interstate passenger. The operator insisted that they would have to move and if they did not move before reaching the next town, Allen Oklahoma, he would have them arrested at Allen. He did leave the bus and return with a man identifying himself as a deputy sheriff. The officer in turn directed them to immediately move and when they protested he threatened and intimidated them with a revolver. Finally they moved to the rear in the face of this intimidation.

We are of the opinion that this conduct on the part of the officer at the invitation of your employee was wholly uncalled for and most reprehensible. From what we can learn it was obvious that these passengers were foreigners and may not have been familiar with either the practices or customs of the laws of the state of Oklahoma. We should like to urge you to call the attention of your employee to this unnecessary abuse.

We are likewise urging you to make reasonable representation to the sheriff of the county in which



# Southern Tribune Negro scouts segregated

All the way to California from Texas, Oklahoma, Mississippi, North and South Carolina . . . . to be jim crowed.

7-12-53  
That was the bitter, frustrating experience this week of scores of southern Negro Boy Scouts, here for the highly vaunted international Boy Scout Jamboree, who are being segregated into all-Negro camping units on the Jamboree grounds at Santa Ana. P. 2

First word of the jim crow came to the Tribune from the Rev. Henry W. Murph, pastor of Grant Chapel AME church, who telephoned Monday to tell the paper that he had gone out to the Jamboree to visit his brother, Dr. B. C. Murph, a Scout leader from Laurel, Miss., and had found him in a jim crow section, composed of Negro scouts from Alabama and Mississippi.

Other jim crow units are composed of Texas and Oklahoma Negro scouts, the Tribune learned, and another of Georgia and North and South Carolina boys.

Negro Boy Scouts from eastern and western states are integrated into their state camps, the Tribune learned; but plans were made to segregate the Dixie-ites months ago when Jamboree plans were being made within their state units.

Some Negro Scouts, such as William Flenoid, son of Mr. and Mrs. Rafe Flenoid, of Oklahoma City, refused to make the trip because they learned in advance that they would not stay with their state units, but would be put into all-Negro outfits.

Young Flenoid, a 9th-grade student, had shined shoes all winter in his father's barber shop to earn Jamboree expenses. Commenting on the news that her son would be shifted upon arrival at Santa Ana to an all-Negro unit from Dallas, his mother said:

"William has raised through hard work all of the money necessary for the trip. He has paid in \$178.00 for the one way trip and the expenses in camp, and he also raised the \$25.00 required for spending change. He seems to have met all of the requirements except that his face is not white."

As far as the Tribune has been able to learn, none of the Negro Boy Scouts was jim crowed on the train coming to California. The jim crow was not the work of Los Angeles Scout hosts, either, the Tribune learned; but originated with southern whites and had the consent of national officials.



# NAACP Suit Names ACL, Seaboard

WASHINGTON — (AP) — The National Association for the Advancement of Colored People Monday widened its legal battle against segregation in interstate travel to include railroad stations and restaurants.

Among the railroads, the Richmond, Va., Terminal Co., and the Union News Co., were cited in a complaint filed by the NAACP with the Interstate Commerce Commission.

The NAACP said its complaint was filed in behalf of itself and 17 individuals, including one White person.

The suit charges the railroads are still trying to enforce segregation of Negro and White interstate passengers despite Supreme court rulings banning such practices.

The NAACP said the complaint is the first major challenge to segregation in railroad stations and station restaurants.

The Union News Co., the announcement said, "operates a Jim Crow restaurant in the Richmond station."

The complaint asks for a hearing and investigation.

Other railroads named in the complaint include the Atlantic Coast Line and the Seaboard Air Line.



## RR Settles Jim-Crow Suit

NORFOLK, Va. — (ANP) — A \$50,000 suit brought against the Seaboard Air Line Railroad was settled here last week for \$1,200.

The suit was filed against the railroad last December by five Negroes who charged that the railroad gave them inferior accommodations in a jim-crow car. The action was taken by Anne Lorretts, Pearl M. Smith, Leroy Smith, Rosetta Roland and Fred G. Minnis, all of Washington, D. C.

The complainants were passengers on board the Palmland, and had entered the train at various points along the way. They asserted that they were moved from a comfortable mixed car in Jacksonville, Fla., to a "dirty, cold" car without proper facilities. They filed suit for \$10,000 each.

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URGE PROTESTS TO WHITE HOUSE:

# Indignation rises *after American* over fining of GIs

NEW YORK — As indignation over the arrest and fining of 50 colored service men involved in a Jim Crow bus incident in Columbia, S. C., mounted throughout the nation last week, the NAACP called upon its 1,200 branches to protest the arbitrary exercise of police power.

*bat. 12-19-53*

In a letter to branch leaders, Gloster B. Current, NAACP director of branches, urged that letters be sent to President Eisenhower "expressing concern about the mistreatment of colored soldiers in the deep South, and asking his office to take steps to correct this injustice."

The branches were also urged to write to Secretary of the Army Robert T. Stevens, "requesting that a full investigation be made of this incident and steps be taken to insure protection of Army personnel against mistreatment by local authorities."

## Letters to Solons

Further, Mr. Current asked the NAACP branches to write to their senators and representatives urging them to vote for enactment of federal legislation, to protect service men against such abuses.

Meanwhile, in Columbia, the Rev. J. M. Hinton, president of the South Carolina conference of NAACP branches, announced that the organization is prepared to fight this issue to the finish. He retained Lincoln C. Jenkins, Columbia attorney, to initiate legal action.

## Mass Arrest

In Washington Clarence Mitchell, director of the association's Washington bureau, warned the Department of the Army that courts martial of the arrested men would arouse widespread resentment.

The men were arrested on Thanksgiving day, as they were leaving the city to return to Fort

Jackson where they are stationed. One of them sat next to a young white woman and refused to move when she and the bus driver asked him to do so.

Police officers were called and the men, including the ranking officer, Lt. Austell O. Sherard, were arrested and fined a total of \$1,573 on disorderly conduct and contempt of court charges.

## Protest Mass Arrest of GI's

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# Protests Lodged Over GI Arrests *Journal and Guide* NAACP Asks Halt To Arbitrary Use Of Police Power In Cases Involving Traveling Service Men

*P. 1 bat. 12-19-53*

*Special to Journal and Guide*

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## Request Full Probe

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## 48 Negro Soldiers Fined In Bias Dispute on Bus

COLUMBIA, S. C., Nov. 27 (UP)—Forty-eight Negro soldiers, including one officer, were fined from \$25.50 to \$200 each today after one sat down beside a white girl on a city bus last night. All were charged with disorderly conduct.

The girl testified that the soldier who sat down next to her had refused to move when she asked him to.

The rest of the group then started discussing whether the soldier should move, she said, and the bus driver called the police.

A second lieutenant with the group was charged with interfering with a police officer in addition to disorderly conduct. He was fined \$200 and the rest of the fines ranged from \$25.50 to \$100, totaling \$1,588.

## Soldiers Fined In Bus Jimcrow Incident To Get NAACP Support

COLUMBIA, S. C.—(ANP)—The local NAACP has come to the defense of some 48 soldiers fined here last week when one of them refused to move from a seat beside a white woman on a public bus.

The soldiers, including one officer, were fined a total of more than \$1,500 in Recorder's Court here. Charges against two of 50 men arrested were dismissed.

The lone officer in the group, Lt. Anstell Sherard, suffered the heaviest fine—\$200. Other fines ranged from \$22.50 to \$122.50.

The incident reportedly occurred when the men were returning to Ft. Jackson from a dance.

J. M. Hinton, president of the South Carolina NAACP conference said an appeal will be taken by the Circuit Court in the case of Lt. Sherard, who was charged with disorderly conduct and interfering with a police officer and fined \$200.

Hinton also said a case will be started in Federal court against the city. Attorneys for the men will charge that the soldiers were denied "due process of law."

The soldiers were arrested while returning from a Thanksgiving dance in Columbia. One soldier sat beside a white woman, identified as Miss June Mattox. When he refused to move, the bus driver called two policemen who arrested the entire group.

In court, Miss Mattox, a waitress, testified that a soldier sat down beside her in the first seat behind the driver. She said she asked him to move and at first, he refused. They exchanged words, she asserted, and then attempted to get up. The soldier then moved to the rear of the bus, according to the woman.

His place was immediately taken by another soldier, the woman said. This one refused to move or allow her to move, she said. The driver then tried to get the soldier to move, but to no avail. He then called the police.

When the police arrived, Lt. Sherard reportedly tried to prevent their arresting the soldier. Police then ordered the bus driver to drive the vehicle to the police station.

Policemen D. A. Neely and J. D. Worthy, charged that the 24-

year-old lieutenant "caused most of the trouble" by "agitating the others" and arguing with the bus operator whether the soldier should remain in his seat.

In commenting on the incident, Ft. Jackson authorities said:

"In accordance with currently prescribed policy for the Armed Forces, segregation is not practiced at Ft. Jackson, a federal military reservation.

"When military personnel go off the post they become subject to local laws and are personally responsible for any violations of such laws the same as any other civilian. The army expects its personnel, whether on post or off, to be law-abiding at all times."

## Appeal mass fining of GI riders

NAACP to take  
case to Supreme  
Court if needed

COLUMBIA, S.C.—The mass arrest of 50 enlisted men and an officer, all stationed at racially integrated Fort Jackson, on charges of violating South Carolina's segregation laws on a city bus, threatened late Saturday to open an all-out fight on "all other forms of jim-crowism."

The men had been arrested as the aftermath of a Thanksgiving night party at the Taylor Street USO on charges ranging from interference with a policeman to disorderly conduct.

They were taken into custody shortly after they boarded the bus at 11:30 p.m. in front of the USO and started for the fort.

### NAACP Fighting Case

Only two of the enlisted men had charges dismissed in Recorder's Court here, Friday morning.

James M. Hinton, state NAACP president, who had spent most of two days working on the case, told the AFRO, Saturday afternoon, that it was "one of the worst travesties on justice I've seen since I've been in Columbia." He's been a resident since 1939.

He said that the State NAACP Conference had entered the case and was backing an appeal of the Lieutenant from an aggregate \$200 fine, and intended to carry his case and that of the enlisted men "to the U.S. Supreme Court, if necessary."

### Appeal Plea Snubbed

Testimony was heard by City Recorder John I. Rice, who, as chairman of the Richland County Democratic Committee, was plaintiff in the Elmore vs. Rice white primary suit of 1946.

The NAACP said that Mr. Rice had refused firmly, Saturday morning, to permit appeals from the enlisted men on the grounds that a 24-hour period allowed for notices of appeals had expired Saturday morning.

Mr. Hinton said that their case was being groomed for federal courts on the grounds that payment of fines by all but nine, Friday morning, couldn't reasonably be interpreted as indication of guilt.

"Most of those men are only kids," he said, "and they were scared to death."

### 1 Charged, 51 Jailed

He also pointed out that charges were against only one man and yet 50 others were jailed, while three white passengers on the same bus, though taken to the city jail, were permitted to go home without being booked.

"The soliders told us," Mr. Hinton said, "that some of these made remarks along with the soldiers."

Meanwhile, nine of the men given \$25 or 30 day sentences on disorderly charges, more than twice the normal \$10.50 or 10 days in Columbia, gained liberty only Saturday morning, being left in custody of an attorney.

Inside sources, which wouldn't allow quoting, told the AFRO that the heavy fines, which totaled \$1,573, had shocked some city sources and a quiet move

### Woman Involved

A the mass trial, Friday, testimony was that as the soldiers packed into the bus, jamming its aisle, one of them sat on a seat shared by a white woman passenger.

The driver said he refused to move on request and had the verbal backing of his buddies.

Within the same block, the driver summoned Police Officer D. A. Neely who, finding the woman now standing and the soldier sitting, invited the serviceman outside. The soldier refused to budge—even when the officer tried to pull him out.

Neely said he radioed for help; and a few minutes later was joined by Police Officer J. D. Worthy. Both failed to get the accused man out of the bus. They then ordered the driver to headquarters, where the arrests were made.

Fined heaviest by Rice was 1st Lt. Austell O. Sherard of Anderson, S.C. He was charged with the 13th Infantry Division officers and disorderly conduct, charges he hotly denies.

Lieutenant Sherard, wearer of the Purple Heart for services in Korea between August, 1952, and August, 1953, had been stationed with the 13th Infantry Division, headquarters and headquarters Co., at Fort Jackson the last two months.

A graduate of S.C. State college at Orangeburg, S.C., he is a nephew of the late Mrs. J. J. Starks, whose husband, the late Dr. J. J. Starks, was president of Benedict college here and founder of Morris college at Sumter.

Officers said Lieutenant Sherard hampered their work on the bus by trying to settle the situation his way. However, the officer testified:

"When I became aware of the disturbance, I tried to get to the driver to learn the details. The police officer never permitted me to do so."

### Duty to Care for Men

Later he told the AFRO that he was the senior ranking, in

sonally responsible for any violation of such laws.

released the following statement to newsmen in behalf of the fort's commanding officer:

"In accordance with currently prescribed policy for the armed forces, segregation is not practiced at Fort Jackson, a federal military reservation.

"When military personnel go off the post they become subject to local laws and are per-

fact the only commissioned officer on the bus, and that it was his duty to get the details. He was still restricted to the reservation on Saturday, as were 41 of the enlisted men whose fines had been paid, as the military establishment conducted its own investigation into the incident. The public information office



# 48 Soldiers Defy Jim Crow Law; Get \$1,573 Fine

COLUMBIA, S. C. — Because a Negro soldier sat beside a white girl on a bus in Columbia, S. C., a busload of GIs were driven to jail and 48 of them were fined a total of \$1,573 on disorderly conduct charges.

This is the same issue involved in a decision the Air Force will have to make regarding Negro officers "who do not bow to Southern Jim Crow practices on trains and buses."

Clarence Mitchell, director of the NAACP Washington bureau, said the Air Force "went to the extent of dropping Lt. Thomas Williams of Birmingham, a pilot in training at Craig Air Base, Ala., because Williams refused to sit in a segregated section of a bus enroute from Florida to Alabama. The Columbia incident last week occurred on a Fort Jackson-Columbia city bus. Police said they went to investigate a distur-

## Urges Penny Fund To Pay GI Fines

Charles M. Skyles, of Chicago, a representative in the Illinois Legislature, suggested a nationwide protest against the fining of 48 soldiers in Columbia, S.C. because one of them sat beside a white girl on a bus. Skyles called for a penny fund from citizens to pay the fines, which totaled \$1,573.

and ordered the bus driver to drive to the police station after arresting 50 soldiers.

Policeman D. A. Neely claimed an officer interfered when they tried to find the soldier who started the disturbance. The state law requires racial segregation on buses.

The officer, 2nd Lt. Austell Sherard, drew a \$200 fine for disorderly conduct and for interfering with police. Forty-five soldiers were fined \$25.50 each for disorderly conduct. One was fined \$125.

Testimony in Recorder's Court was that Second Lieut. Anstell Sherard ordered the GI to disregard orders of the bus driver and city police, and remain seated.

Police, summoned by the bus driver, ordered the entire busload of people, which included the Negro soldiers, the white woman, four white soldiers and a little girl to the police station.

The entire busload of people was driven to the city jail, and the fifty Negro soldiers jailed overnight. Friday, Recorder John I. Rice fined Sherard \$200. One soldier was fined \$125.50. Another \$100, and forty-five others \$25 each. Charges against two of the men were dismissed.

Authorities at Fort Jackson, when queried on the incident, declared "When military personnel go off the post they become subject to local laws. . . The Army expects its personnel, whether on the post or off, to be lawabiding at all times."

She added:

"I told him I didn't know where he was from, but here in Columbia the whites and Negroes don't mix. He grabbed my wrist and told me if I was a lady I'd sit back down by him."

Other soldiers joined in and the bus driver, W. G. Brooks, said, the lieutenant ordered the soldier to remain seated.

Fort Jackson authorities released a prepared statement pointing out that segregation is not observed on the base, but that all soldiers are held "personally responsible" for abiding by local and state laws off the base. South Carolina law requires segregation on public vehicles.

## Bus Case Going to U. S. Court

COLUMBIA, S.C.—(INS)—The racial incident involving fifty Negro soldiers and a white woman aboard a Columbia city bus is headed for the Federal courts.

James N. Hinton, South Carolina chairman of the NAACP, said Saturday night the organization will appeal a \$200 fine against a Negro lieutenant, found guilty in City (Recorder's) Court of disorderly conduct and interfering with police.

He said the NAACP would also move in Federal Court on the grounds that the soldiers, from Fort Jackson, were "denied due process of law."

The Thanksgiving night disturbance erupted when a soldier on a crowded bus sat next to a young white woman, and she told him that "in South Carolina the whites and Negroes do not mix."

# Soldiers Fined \$1,550 For 'Disorderly Conduct' In S.C.

COLUMBIA, S. C. — Fifty Negro soldiers from Fort Jackson, S. C., paid fines yesterday after a night in jail as a result of a disturbance on a city bus when a soldier sat next to a white woman.

The incident happened Thursday night aboard a bus bound for the Spruill Infantry Training base near Columbia. The bus got on the bus at one stop. The bus was occupied by a white waitress, 22-year-old June Mattox, four white soldiers, a little girl and a driver.

The last two soldiers sat on a long seat by Miss Mattox.

The busdriver, W. G. Brooks stopped the bus and ordered the soldier to the rear but he refused to move. At that point a Negro lieutenant reportedly ordered the soldier to stay seated.

Police, summoned by the bus driver, ordered the entire busload of people, which included the woman, four white soldiers and a little girl to the police station.

The soldiers were charged with disorderly conduct and spent Thursday night in jail. Judge (Recorder) John I. Rice fined 45 of them \$25 each, one \$100, another \$125.50 and a Negro second lieutenant \$200. Charges against two of the men were dismissed.

Fort Jackson authorities released a prepared statement pointing out that segregation is not observed on the base, but that all soldiers are held "personally responsible" for abiding by local and state laws off the base. South Carolina law requires segregation on public segregation on public vehicles.



# Dixie RR Gives Up On Fight To Maintain Bias

By LOUIS LAUTIER

WASHINGTON, D. C. (NNPA) After eleven years of battling in the Interstate Commerce Commission and Federal courts to maintain racial segregation on its dining cars, the Southern Railway Company finally tossed in the sponge.

Attorney General Herbert Brownell announced Friday that the Justice Department had been notified that the Southern has issued new rules governing service to patrons of its dining cars.

The new rules, issued in the form of a circular to conductors and dining car stewards, requires that passengers seeking dining car service shall be seated at vacant seats in the diner in order of their entrance into the diner.

"The Southern Railway has finally capitulated and recognized the situation that actually exists, namely, that dining car passengers in the South get along without any of the difficulties that some people contended would be attendant upon a non-discriminatory and non-segregated policy," said Aubrey E. Robinson, general counsel of the American Council on Human Rights.

"It remains to be seen," he added, "whether, despite the regulation, efforts are made to segregate passengers in dining cars on the basis of race. It is up to the traveling public to see that the new rules are carried out."

As a result of the issuance of the new rules, the suit sponsored by the American Council on Human Rights against the Southern has been withdrawn.

Pre-trial hearings were about to start in the District Court here when Mr. Robinson was informed by the lawyer for the railroad that the Southern was ready to cancel all prior instructions on seating of passengers in dining cars and issue new instructions.

The hearings were held up and the new rules were issued over the signature of G. T. Lane, Assistant vice-president of the Southern.

The fight, which went all the way to the United States Supreme Court and wound up back in the courts, grew out of an incident which occurred May 17, 1942.

On that date, Elmer E. Henderson, who was then an employee of the President's Fair Employment Practice Committee, was denied dining car service.

In accordance with the practice then in effect, the two end tables nearest the kitchen were reserved for colored passengers. When they were occupied by colored persons curtains were drawn segregating them from other passengers in the diner.

If the other tables were occupied before any colored person came into the diner, the curtains were to be removed and white passengers served at those tables.

When Henderson entered the diner, the tables in question were partly occupied by white passengers, but at least one seat was vacant. The dining car steward refused to seat him in the dining car but offered to serve him at his Pullman seat without additional charge.

Before the diner was detached about 9 o'clock that night, Henderson twice returned to the diner but was never served.

Henderson filed his first complaint with the ICC in October, 1942. The commission ruled that he had been subjected to undue and unreasonable prejudice and disadvantage, but declined to issue an order as to future practices.

A three-judge Federal District Court for Maryland held that the railroad's general practice violated the Interstate Commerce Act and sent the case back to the ICC for further proceedings.

In the meantime, the Southern announced new rules, effective March 1, 1946. These new rules provided for reserving ten tables exclusively for white passengers and one table exclusively for colored passengers. Between this table and the others a curtain was drawn each meal.

The ICC gave the new rules its approval. Henderson then brought suit again to have the commission's order set aside. The three-judge Federal District Court for Maryland upheld the new rules on the ground that the accommodations were adequate to serve the average number of colored passengers.

On appeal, the Supreme Court

held that the new rules subjected passengers to undue and unreasonable prejudice in violation of the Interstate Commerce Act.

The Southern then adopted new rules which required that women be seated with women, young people, elderly persons with elderly persons, white persons with white persons, and colored persons with colored persons. White persons were to be seated from the buffet or kitchen end of the dining car and colored persons from the opposite end.

Henderson filed another complaint with the ICC, contending that the new rules were just another form of racial allocation of seats in dining cars still in violation of the Interstate Commerce Act.

With four commissioners dissenting, the ICC upheld the latest rules, and Henderson filed suit in the District Court here to enjoin the Southern from observing the revised rules.

The United States on May 31, 1952, filed a "confession of error" and joined with Henderson in seeking to restrain the Southern from carrying out its discriminatory seating arrangements.

The District Court approved the withdrawal of the suit on November 12.



## Attorneys Here Probe Fray On Railroad Coach

A Philadelphia woman has charged that she was beaten and "shoved around" in a railroad coach because she refused to move to the Jim Crow car on a train enroute to Atlanta.

Mrs. Mary Mink of Philadelphia, Penn., said that she was "attacked and pushed" after she refused to leave a mixed car when the train left Washington, D. C. She was enroute to Atlanta to visit her mother, Mrs. Carrie Rutland, 506 Auburn Avenue, N. E.

Railroad officials denied that Mrs. Mink was attacked. Her attorneys quoted them as saying that Mrs. Mink fell.

Mrs. Mink said that she purchased a through ticket from Philadelphia to Atlanta and that she was sitting in a non-segregated coach.

After the train left Washington, Mrs. Mink said she was forced by a passenger representative to move to the Jim Crow car "against her will."

The woman said that the agent struck her in the face several times and pushed her. Her attorney said that she suffered a swollen jaw, lacerations over the right eye and extreme nervous tension.

Mrs. Mink said that she remained in the Jim Crow car until the following morning when she returned to the non-segregated coach to claim her baggage. She said railroad officials met the train in Atlanta and questioned her.

The Philadelphian said the attack occurred Saturday morning.

Mrs. Mink will take legal action against the railroad, her attorneys said last night.

Southern Railroad officials denied that Mrs. Mink was assaulted. They claimed that she fell during the night and refused treatment.

The woman was treated by a local physician, her attorneys said.

## HUMAN RIGHTS COUNCIL WINS CHANGE OF RACIAL REGULATION FROM SOUTHERN RAILWAY CO.

Washington, D. C., Nov. 2.—(Special)—The Southern Railway Company has revoked its racially restrictive dining car regulations as a result of a three-year fight by the American Council on Human Rights. The new regulations, effective November 1, make no reference to race in seating patrons in dining cars and require that passengers be seated in the order of their entrance into the diner.

Notification of the new regulation was sent by the company to Aubrey E. Robinson, Jr., general counsel of the ACHR, the cooperative program of six national fraternities and sororities.

The Council's action against the Southern Railroad was based on the Supreme Court decision in the case of Elmer W. Henderson v. Southern Railway which outlawed discrimination because of race in lining car service. Immediately after this decision in June 1950, the Southern issued regulations to its dining car personnel ordering that Negroes be seated with Negroes, whites be seated with whites etc. This, the Council contended was in violation of the Henderson decision. The Council sued the railroad before the Interstate Commerce Commission urging that body to revoke the regulations. The I. C. C. sustained the railroad in a five to four decision with a vigorous dissent. The dissent was occurred in by the U. S. Department of Justice which has insisted on conformity with the Supreme Court's mandate of no discrimination. The Council then appealed the I. C. C. decision to the U. S. District Court in the District of Columbia.

It was thought when the Supreme Court spoke in the Henderson Case that the matter was settled for all time. But this case indicates that Supreme Court decisions are not self-enforcing and those favoring pro-segregation policies will devise many ways to avoid compliance with the law.

Attorney Robinson, a representative of Alpha Phi Alpha Fraternity on the board of directors of ACHR called it a significant step toward the complete removal of Jim-Crow practices from the nation's railroads.

The Henderson Case was filed against the Southern Railroad in 1942 by Elmer W. Henderson, director of the American Council on Human Rights. The case was supported by the Alpha Phi Alpha Fraternity and the ACHR.

The controversial section of the Southern Railway regulations that were finally revoked reads as follows:

"(2) The steward shall seat diners so as to promote efficient service with comfort and satisfaction to the diners. For example, when practicable parties of two, three or four, will be seated together. When entering singly, women will be seated with women, men with men, young people with young people, elderly persons with elderly persons, white persons with white persons, and Negroes with Negroes. In following the above illustrations, stewards will bear in mind (occupied space permitting), white passengers should be seated from the buffet or kitchen end of the dining car and Negroes from the opposite end. (From the ends toward the middle). No passenger seeking dining car service during the meal hour shall be refused such service when there is a vacant seat in the diner."

The American Council on Human Rights is a cooperative program of Alpha Kappa Alpha Sorority, Alpha Phi Alpha Fraternity, Delta Sigma Theta Sorority, Kappa Alpha Psi Fraternity, Sigma Gamma Rho Sorority and Zeta Phi Beta Sorority.

AFTER 11 YEARS LEGAL BATTLE:

## Southern tells steward to end JC in dining car

WASHINGTON (NNPA) — After 11 years of battling in the Interstate Commerce Commission and Federal courts to maintain racial segregation on its dining cars, the Southern Railway company has finally tossed in the sponge.

Attorney General Herbert Brownell announced Friday that the Southern has issued new rules that passengers seeking dining car service shall be seated at vacant seats in order of their entrance into the diner.

Robinson Has Comment "The Southern Railway has finally capitulated and recognized the situation that actually exists, namely that dining car passengers in the South get along without any of the difficulties that some people contended would be attendant upon a non-discriminatory and non-segregated policy," said Aubrey E. Robinson, general counsel of the American Council on Human Rights.

"It remains to be seen," he added, "whether, despite the regulation, efforts are made to segregate passengers in dining cars on the basis of race. It is up to the traveling public to see that the new rules are carried out."

Pre-trial hearings were about to start in the district court here when Mr. Robinson was informed that the Southern was ready to issue new rules on the seating of passengers in dining cars.

The suit against the company sponsored by the council was then withdrawn.

Hearing Held Up The hearings were held up and the new rules were issued over the signature of G. T. Lane, Assistant Vice president of the Southern.

The fight which went all the way to the United States Supreme Court and wound up

back in the lower courts, grew out of an incident which occurred May 17, 1942, when Elmer W. Henderson, who was then an employee of the President's Fair Employment Practice Committee, was denied dining car service.

When Mr. Henderson entered the diner, the two tables reserved for colored patrons were partly occupied by white passengers, but at least one seat was vacant. The dining car steward refused to seat him in the dining car but offered to serve him at his Pullman seat without additional charge.

Declined Order Mr. Henderson filed his first complaint with the ICC in October, 1942. The commission ruled that he had been subjected to undue and unreasonable prejudice and disadvantage, but declined to issue an order as to future practices.

## Southern RR Ends Jim Crow

WASHINGTON (INS) — The Justice Department announced this week that the Southern Railway System has agreed to end alleged discrimination against Negro passengers in its dining cars.

Attorney General Herbert Brownell Jr., said the railroad has abolished previous regulations and issued a new order requiring that passengers be seated in dining cars in order of their arrival.

The action ends a court case began about eleven years ago when Elmer W. Henderson, a Negro passenger, was denied dining car service on a Southern trip.



# Southern RR Surrenders

IT IS AN encouraging sign of the times that that old offender, the Southern Railroad, has finally agreed to end racial discrimination in its dining cars.

According to alert, forceful U. S. Attorney General Herbert Brownell Jr., the diehard railroad has abolished all previous regulations enforcing jim crowism in its diners and issued new orders requiring the seating of passengers in order of arrival.

We haven't made a survey of practices on Dixie railroads recently, but the Southern must come close to being the last important railroad to end the senseless racial restrictions in its dining cars.

Thus ends the case started eleven years ago by Assistant Elmer W. Henderson, and the end of that growing band of Negroes who wouldn't take lying down.

Eleven years ago! How race relations have changed since 1942!



## END OF "CAR 20"

**ANTI-JIM CROW** — ruling of Los Angeles Municipal Court Judge Lucius T. Green, outlawing the Southern Pacific Railway's practice of segregating Negro passengers bound for southern states, is gone over by one of the four Los Angeles citizens who brought the suit, Mrs. Carrie Whitmore, with Naacp attorney Herbert W. Simmons, Jr. *P. 1*

Judge Green ruled last week that civil rights laws of the state are not satisfied by separate accommodations, adding, "Anything short of a full measure of equality upon exactly the same conditions and restrictions applicable to other passengers, regardless of race, creed and color is an illegal denial of equality." *Los Angeles, Calif.*

Suit challenged the Southern Pacific's policy of segregating California Negro passengers bound for Texas, Louisiana and other points South in the new infamous "Car 20" of the "Sunset Limited." Local branch Naacp was joined by 19 organizations in the suit. Other plaintiffs were Carrie Williams, James Martin, Sr., and Mae E. Dupont. *4-17-53*

## California Judge Hands Down Ruling

### 'Separate But Equal' Theory Of Railway Must Be Discarded

*Journal and 'Separate But Equal' Theory Of Railway Must Be Discarded P. 12*

**LOS ANGELES** — The practice of the Southern Pacific Railroad in segregating South-bound Negro passengers boarding trains in California has been declared "an illegal denial of equality" under California law by Municipal Court Judge Lucius T. Green. *4-16-53*

In response to a suit brought by the Los Angeles branch of the National Association for the Advancement of Colored People on behalf of four plaintiffs, Judge Green filed an opinion and an order on April 7 banning the railroad's discriminatory practice. In so doing he overruled 15 jurisdictional objections raised by attorneys for the railroad. The ruling was on the company's motion to dismiss the NAACP complaint. *4-16-53*

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**ON ITS SUNSET Limited.** Southern Pacific has followed a practice of segregation Negro passengers out of Los Angeles in a single car apart from white passengers. Resenting an effort to segregate them, J. E. Whitmore, Carrie Williams, James Martin Sr., and Mae E. Dupont, appealed to the branch and filed a complaint against the company. They were represented by Herbert W. Simmons Jr., a member of the branch's legal redress committee.

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"The basic violation charged is a denial of equal treatment," Judge Green's opinion asserted. "This comprehends in the broader sense every factor — physical, psychological or otherwise that such denial may conceivably produce. It has been held unqualifiedly by the courts of this state that racial segregation is discriminatory and a violation of said civil rights section."

"IN OUR minds and to our way of thinking upon existing laws in this state the full and

## SOUTHERN PACIFIC RAILWAY

equal provisions of the said civil rights section are not at all satisfied by separate and otherwise equal accommodations. Anything short of a full measure of equality upon exactly the same conditions and restrictions applicable alike to all other passengers regardless of race, creed and color, is an illegal denial of equality."

Denying a motion to strike, Judge Green gave the railroad company ten days in which to file an answer.

## Rules Against Southern Pacific's Segregation of Passengers Going South

**Los Angeles.**—The practice of the Southern Pacific Railroad in segregating south-bound Negro passengers boarding trains in California has been declared "an illegal denial of equality" under California law by Municipal Court Judge Lucius T. Green. *By the court*

In response to a suit brought by the Los Angeles branch of the National Association for the Advancement of Colored People on behalf of four plaintiffs, Judge Green filed an opinion and an order on April 7 banning the railroad's discriminatory practice. In so doing he overruled 15 jurisdictional objections raised by attorneys for the railroad. The ruling was on the company's motion to dismiss the NAACP complaint. *4-16-53*

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"In our minds and to our way of thinking upon existing laws in this state the full and equal provisions of the said civil rights section are not at all satisfied by separate and otherwise equal accommodations. Anything short of a full measure of equality upon exactly the same conditions and restrictions applicable alike to all other passengers regardless of race, creed and color, is an illegal denial of equality."

Denying a motion to strike, Judge Green gave the railroad company ten days in which to file an answer.

## Jesse O. Thomas Wins Railroad Case

**WASHINGTON.** — (ANP) — Jesse O. Thomas, formerly with Red Cross and the Office of Price Stabilization, last week agreed to accept \$600 as an out-of-court settlement for a \$1,000 damage suit which he had pending against the Southern Pacific Railroad company. *Black and white*

The suit was filed against the company in 1950 for refusing to sell Thomas a lower berth between Hempstead and Austin, Texas. *P. 38*

Thomas claims that he had already reserved a drawing room from Houston and Austin. Because he was invited to speak and be guest of honor at a reception held at Prairie View college, he found it more convenient to take the train at Hempstead rather than go all the way back to Houston. *Black and white*

When he boarded the train, he found that the porter had checked his drawing room and upon finding it unoccupied, had sold the space to another passenger. Thomas then agreed to accept a lower berth. *Black and white*

Apparently thinking the other Red Cross executive was an intra-state passenger rather than an inter-state passenger, the porter refused to sell him a lower berth upon pretence that there were none vacant. *Black and white*

Thomas took a stroll back through the Pullman car finding some lower berths unoccupied. He then filed suit against the company which has been pending three years before an agreement was reached for final settlement out of court. *Black and white*



# Rail Segregation Hit By Fisk Unit

## Long Calls For 'Immediate' End To Transportation Bias

NASHVILLE, Tenn. — (SNS) — An interracial survey, made public this week by the Fisk university Race Relations department, declares that immediate civil rights reform is possible in the field of interstate transportation. The report urged a broader approach to the problem of racial segregation in interstate railway coach travel.

The report said that such problems must be looked upon as "a body of social fact and experience that is manageable through judicial, legislative and administrative settlement."

The new idea, which is vastly different from the usual concentration on individual instances of discriminatory treatment would, according to the report, enjoy the special advantage of "permitting emphasis upon the sensitive and strategic areas of segregation practices which may be particularly vulnerable to change."

The report pointed out that train coach service is one of the most important public facilities bringing contact between Negroes and whites, and declared that its interstate phase would be an area in which immediate civil rights reform was possible because the states rights question is not a basic issue.

Stressing that Interstate Commerce was under the jurisdiction of Congress, the report pointed out that "Interstate transportation, since it involves the vast network of movement and communication essential to maintaining the national life as an organismic unit, is rather clearly a matter of Federal competence. Thus this broader approach should provide the basis for wider negotiation between the responsible agencies of government and the public in effecting general and uniform administrative adjustments."

### FACTUAL BASIS

The survey was made by the Race Relations Department, American Missionary Association, Congregational Christian Churches, with headquarters at Fisk University. It has developed a documentation of railway coach segregation practices in order to give factual base for viewing the

issue as a manageable body of "social experience."

The staff consisted of Dr. Herman H. Long, director of the Race Relations Department and one of the foremost authorities in the South on interracial tensions, who supervised the report; Grace C. Jones, who handled the field work; and Jeanette Harris, Leon Holley and Edward Chesky, who functioned as interracial teams on observation trips.

Long said the field investigators made 46 trips in seven months, travelling north and south on 27 trains on 19 interstate railroads, covering about 28,000 miles.

Long said in the report that the principle of nondiscrimination in the U. S. had been won on a large scale, "and this development in public practice represents one of the important and basic gains in recent years for human rights."

### ENFORCED SEGREGATION

At the same time it warned that in some areas of concern, "enforced racial segregation is still an aggressively espoused and defended public practice."

The dominant character of these areas as far as service for Negro interstate coach passengers was one of segregation supported by a "complicated set of administrative practices, designed to maintain the segregation laws in the Southern states."

The report declared that several court rulings had held that segregation regulations effected by railroads were an unconstitutional encumbrance to interstate travel. It noted that the pattern included separate facilities in everything from bathrooms to coach seats. It was also noted that the practice of attitudes by railroad personnel to enforce the racial etiquette and a kind "of systematic exclusion of Negro passengers from all sections

of the train except the segregated coach."

However, the report declared there have been some substantial modifications in recent years in the segregated pattern in railroad travel, primarily in first class accommodations and extra passenger services, such as dining and lounging cars.

But even here, the report argued, improvements have been marked by occasional tactics of delay and curtailment. It added "For the most part the train facility that involves the largest segment of the passenger travel, coach accommodations, has been left untouched by these desegregated developments."

The report finally noted that southern laws and regulations, even when railroad segregation was broken down still left the Negro passenger "in an uncertain and conflicting realm of existing laws, regulations and the prevailing custom and etiquette."

A partial solution was offered to avoid this path of "cultural isolation; the legal changes must now be buttressed by administrative and procedural implementations that view the entire problem as a manageable social experience in which clearly and completely expressed policy and orders will be able to lead to swift and effective adjustments.

## Woman Mistaken For Colored, Put Off Bus, Sues For \$50,000

KNOXVILLE, Tenn. — Mistaken for colored and put off a bus when she refused to sit in the rear, a woman who was even named White filed suit Friday for \$50,000 against two bus companies and one driver.

Mrs. Beatrice White of Montgomery said she boarded a Greyhound bus at Birmingham, Ala., July 5 en route to Bluefield, W. Va., and that in Knoxville the driver told her to go to the rear of the bus or "get off."

Tennessee Coach lines also was named in the suit since Greyhound uses its franchise in the Knoxville area.

## Bus Boycott Threatened

## By Negroes

## Memphis Clubs

## Charge 'Terror'

MEMPHIS (UP) — Negro civic club leaders said Friday they may call for a boycott of city buses in protest over the "terrorizing" of Negro passengers on a Memphis Street Railway bus.

Willia McWilliams, secretary of the Bluff City and Shelby County Council of Civic Clubs, said a mass meeting will be held next week to discuss the incident.

She said members at the meeting will be asked to form a pool "to transport Negroes throughout the city" in private cars.

The secretary said two White men boarded a bus last Friday and forced it to stop. She said the Negro passengers were threatened with "Jim Crow" laws and ordered to move to the back of the bus. Most of the Negroes left the bus instead, she said.



# Company, Driver Facing Charges

HOUSTON — The Houston Transit Company and a driver on the San Felipe line face the possibility of a damage suit following the pistol-whipping of a passenger on the bus.

Charges of assault might also be filed against the driver, E.C. Alsup, 29, of 5022 Southwind Ave.

The passenger, *Rufus A. Murray*, a bakery shop employee, came to the bus and displayed cuts and bruises which he sustained when he was struck several times with a 38-cal. revolver.

Murray and Alsup gave different versions of the fracas, which started when Alsup parked the bus to go to a cafe near the Phenix Dairy.

Murray states that when Alsup and his wife, who was with him, were about 20 feet from the bus, an unidentified passenger made some remarks about the delay and left the bus.

According to Murray, Alsup came back to the bus with his pistol drawn and approached Murray, demanding to know what had been said.

"When I told him that I had not said anything, he told me to get off the bus. He was waving the pistol and told the other passengers to leave the bus."

"I asked the driver to give me a transfer because there was another bus coming. He refused to give me the transfer and told me that I had better get going."

"When I started off, he struck me on the back of the head with the pistol. I turned around and put my hands up to ward off the next blow."

"As I threw my hand up, he struck me again, crushing my fingers and splitting my scalp."

Murray suffered cuts and bruises on the left hand and several stitches were required to close the wounds in his head. One of the wounds was at the back of the head, where Murray said he was struck when he started off.

In a statement to police Alsup gave a different version.

He stated that he was about to enter the cafe when he heard Murray, who he claimed

was drunk, using abusive language.

He stated that he returned to the vehicle and told Murray to get off. The latter complied, but returned through the front door, asking for a transfer.

Alsup said that Murray had his hand in his pocket. He got his pistol and hit Murray with it.

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Alsup was charged with carrying a pistol and Murray was charged with using vulgar language in a public place. The police report did not indicate whether Murray had a weapon.

W. L. Vennel, public relations director for the Houston Transit Company, told the INFORMER that the company had no official report of the incident.

"We discourage our operators from carrying pistols and when they get in trouble about them, they are on their own," Vennel said.

Roberson King, attorney for Murray, said that his client will seek damages for the injuries which his client sustained.

Attorney King said that the other passenger on the bus fled when the fracas started and that he would like to contact anyone who actually saw the affair.

Neither Alsup nor his wife could be reached for comment.



# Bus Lines Limited In Journal and Guide Seat Regulating Power

Special to Journal and Guide

RICHMOND, Va.

While the appellate court did not rule on the question of segregation itself a previous decision of the United States Supreme Court was followed here Wednesday in a decision by the United States Court of Appeals.

John Douglas Williams, of North Carolina, sued for damages in the district court, Judge Hutchinson presiding, and obtained a verdict of \$251 as compensatory damages for being forced by a bus driver to change his seat on a trip from Rocky Mount to Norfolk.

...

**THE BUS** company—Carolina Coach—appealed to the Circuit Court of Appeals. The court held that "it appears the plaintiff was originally seated in accordance with the regulations and refused to change his seat when seats to the rear originally occupied by Negroes had become vacant. We think that the judgment appeal should be affirmed because the regulations relied on were applied by the bus driver in an unreasonable manner in requiring the passenger to change his seat in an interstate journey after he had been properly seated in accordance with the regulations."

After the U. S. Supreme Court decided in the Inez Morgan case that segregation of interstate passengers was unlawful, bus companies operating in the state having segregation laws place the seating of passengers in the hands of bus drivers and the state legislatures, including Virginia, buttressed the action of the companies by passing a law which enabled the companies to do this.

Martin, counsel for Williams, the decision was "unquestionably" a victory for non-segregation in interstate travel, whether or not the trip originated in a Jim Crow state and ended in another Jim Crow state.

ACCORDING to Martin A.



# Airport Begins Jim-Crow Policy In Restaurant

NORFOLK, Va. — Eighteen months of practicing democracy at the Norfolk Municipal Airport has ended and the restaurant facilities from now on are strictly Jim Crow.

Permission to operate it on a segregated basis has been approved by the Board of Commissioners of the Norfolk Port Authority. However, it has been stated that the facilities must remain equal for both races.

**Coffee Shop Non-Segregated**  
But, since it is impossible to divide the coffee shop, that eating spot will remain on an integrated basis as will the other places at the airport.

G's Maroulis, president of the corporation which leases the dining, is reported to have stated that permission was sought to get segregation in operation because patrons complained of the mixing and business was decreasing because both races were intermingled.

**Not Enough Passengers**  
He explained that the Azalea Room had to depend upon citizens from nearby areas for its support because airport traffic was not enough to keep it in operation and as a result he had to cater to their wishes.

It also was pointed out that racial segregation is required by law in public places in Virginia and the restaurant was adhering to the law.

# School Bus Fracas Causes Near Riot

By RUFUS WELLS

RICHMOND—Five high school pupils were taken off a city transit bus while en route to school yesterday morning and a near-riot developed when a policeman shook one of the pupils, a 16-year-old girl.

The girl was arrested and charged with violation of the state segregation law and assaulting a policeman.

Six radio cars and a patrol wagon converged on the scene at Fifth and Broad st. in downtown Richmond and some 500 persons gathered, tying up traffic for more than an hour.

**NAACP Representatives**  
Order was finally restored after top police officials and representatives of the NAACP reached the scene.

The trouble began when the bus driver noticed the 16-year-old girl seated beside a white woman passenger. The woman made no objection, but the driver insisted that the school girl move from her seat.

As the bus was crowded and no seats vacant, the girl refused to move. The driver stopped the bus and all of the passengers left the vehicle.

**Boards Second Bus**  
Another bus pulled up and the girl boarded it, paying her fare, the driver of the first bus told the other bus driver not to move his vehicle but to wait until police arrived.

A mounted policeman, attracted by the crowd and traffic jam, came to the scene. He went into the bus and sought to make an arrest. The girl began crying hysterically and witnesses say that the policeman shook her.

At this point the girl's brother, also a high school pupil, jumped at the policeman and he, too, was arrested.

Girl's Eight Friends

Meanwhile, eight friends of the girl asked that they be arrested but the police told them to "go on to school."

# Five Settle 50G Suit For \$1,200

RICHMOND, Va. (ANP) — A \$50,000 suit brought against the Seaboard Air Line Railroad was settled here last week for \$1,200.

The suit was filed against the railroad last December by five persons who charged that the railroad gave them inferior accommodations in a Jim-Crow car. The action was taken by Anne Lorritts, Pearl M. Smith, Leroy Smith, Rosetta Roland, and Fred G. Minnis, all of Washington, D.C.

The plaintiffs were passengers on board the railroad and had entered the train at various points along the way.

They asserted that they were moved from a comfortable mixed car in Jacksonville, Fla. to a "dirty, cold" car without proper facilities. They filed suit for \$10,000 each.

# Separate But Unequal Ferry Accommodations

THERE have been numerous complaints recently concerning discrimination in the service rendered passengers of the two races using the Virginia Ferry Corporation's Little Creek-Kiptopeke ferry. This ferry service links Norfolk and the southeast with highways that flow traffic directly into Eastern Shore, Philadelphia, New York and other eastern points.

If ever the decree of the United States Supreme Court that separate but equal travel facilities must be provided, was violated, it is breached on the Virginia Ferry Corporation's vessels.

Placed at the back of the ferries, colored passengers have two or three booth-type "beat up" tables for lunches or meals, but no convenient means of obtaining either from the refreshment stand amidship. That portion of the rear deck set apart for the minority group provides seating that consists of a dingy, wooden, straightback bench. Except for a half dozen odd bus-type seats which cannot be moved, the only inside seating provided is the same hard and uncomfortable wooden benches.

The toilets, too, are inferior. Being on the rear deck, colored passengers rarely can use them except at the risk of having their clothing ruined by soot from the ferry smoke-stack.

The floors are dull and dingy in the colored section of the boats and little attention seems to be given to keeping it anything like the customary spick-and-span condition characteristic of the other sections of the ferries reserved exclusively for white passengers.

By contrast, the four-fifths of the ships reserved for white passengers are large, airy, roomy, and attractive. Individual lounge-type, moveable chairs, plastic top tables, and other comforts and conveniences abound. The white salon has a record-playing machine for whiling away the time or dancing.

Souvenir counters, newspapers and magazine stands, a bootblack stand, the lunch and beer-soft drink counters, and everything else helping to make the hour-and-a-half trip across the bay pleasant and comfortable are provided—but only in the white sections.

The fares charged Negro motorists and foot passengers and white passengers, however, are identical. "Separate but

equal." The only comment at the moment seeming to be adequate is, "nuts!" Such a crass, unfeeling, contemptuous attitude toward one set of passengers, different only by race, is not only immoral, inhuman, and defenseless but, in our opinion, clearly illegal.

It would be entirely consistent with our democratic process if someone tested in the appropriate court this differential in accommodations, for which first-class fare is charged.

# Travel Bias Case Set For Appeals Court

BY CARTER JEWEL

RICHMOND, Va. (ANP) — An important case challenging the constitutionality of the segregation of the races in travel in the South may be settled here and for all when the United States Court of Appeals holds its October term in Richmond.

It is the case of John D. Williams against the Carolina Coach company. Williams sued the company for \$50,000 on a two-fold charge he was unlawfully ejected from a coach and falsely arrested because he refused to move to a

back seat on a company bus.

The company has appealed the case to the United States Court of Appeals of Richmond, taking exception to the victory which Williams won last November. Williams' chief attorney, Martin A. Martin of Richmond, disclosed last week that the company had made an appeal.

In his petition for damages in the amount of \$50,000, Williams contended that he bought a ticket for a trip from Springs Hope, N. C., to Norfolk, Va. on Sept. 4, 1950. He asserted that he was requested to move by a bus driver and because he refused to move he was ejected from a bus in Rocky Mount, N. C.

Williams received \$151 compensatory damages on the unlawfully ejected complaint and another \$100 on the falsely arrested charge. He was also freed of all charges and dismissed in court.

Federal Judge Sterling Hutcheson ruled that segregation of passengers on interstate carriers is a violation of the commerce clause of the U. S. Constitution. He based his ruling largely on the celebrated

Martin said last week that he felt best which we have had, and I further believe that it will settle the transportation law in the south once and for all.



# U. S. Court to Rule On Bus Segregation

# Bus Seat Ruling Ducked

RICHMOND, Oct. 12 (P.)—The United States Court of Appeals for the Fourth Circuit today was asked to decide if a bus company's regulations requiring the segregation of Negro and white passengers is valid in interstate commerce.

Carolina Coach Co., the defendant, appealed from the Federal District Court here, where Judge Sterling Hutcheson awarded John D. Williams, Negro, \$251 compensatory damages on Williams' charges he was ejected from a Carolina bus at Rocky Mount, N. C., when he refused to change his seat, and that he was falsely arrested.

The court's ruling is believed to be the first in a case involving the travel of a Negro on a common carrier between two States having segregation laws.

Eight other bus companies, owners of passenger bus lines in the Southern States, have filed a brief as friends of the court, saying they have a direct economic interest in the outcome.

John J. Wicker, jr., counsel for Carolina, said the effect of the District Court's rulings is so far-reaching as to prejudice seriously the entire future operation of the defendant's business.

Counsel for Williams argued in a brief that the carrier segregation rule does not justify "the discrimination practiced in this case" and the burden imposed thereby on interstate commerce.

A Hanover County man sentenced to 10 years in the penitentiary for second-degree murder won a new trial today on grounds the jury that convicted him had been improperly instructed by the court.

The State Supreme Court of Appeals reversed the Hanover Circuit Court in the case of Waddy W. Braxton, who had been convicted of the fatal shooting of his cousin, Prince A. Cooper. The high court said Braxton should have been permitted a jury instruction covering the principal of self-defense.

In two related decisions, the Supreme Court held that John L. Smith must complete serving a 10-year sentence imposed by the Circuit Court of the City of Richmond as a third offender.

Smith has been convicted of five felonies and served the sentences, but he brought habeas corpus proceedings while serving the 10-year sentence as a third offender on the contention that previous convictions were null and void.

The Supreme Court said today it had previously held that sentences shorter than legal requirements were inadvertences, voidable by appeal but not void.

RICHMOND, Va. (NNPA) —

The Fourth United States Circuit Court of Appeals last Wednesday ducked a clear-cut decision on the question of whether a bus company may adopt and enforce rules requiring racial segregation of interstate passengers.

The Circuit Court upheld the judgment of Federal District Judge Sterling Hutcheson awarding compensatory damages of \$251 to James D. Williams, an employee of the Norfolk Naval Air Station, who contended that he had been unlawfully ejected from a Carolina Coach Company bus when he refused to move to a rear seat.

**No Rule On Seating**

But the court did not rule directly on the question of whether a rule requiring racial segregation of interstate passengers in buses, adopted by a company, places an undue burden on interstate commerce.

The opinion said "it appears the plaintiff was originally seated in accordance with the regulations and refused to change his seat, when seats to the rear, originally occupied by colored persons, had become vacant.

"We think the judgment appealed should be affirmed because the regulations relied on were applied by the bus driver in an unreasonable manner in requiring the passenger to change his seat in an interstate journey after he had been properly seated in accordance with the regulations."

**Lawyer Sees Victory**

Martin A. Martin, attorney for Mr. Williams, said the decision was "unquestionably" a victory for his client.

John J. Wicker Jr., attorney for the Carolina Coach Company, said the decision would have no "practical effect" upon the company's regulation requiring segregation.

"What it amounts to," said Wicker, "is that we can request that the passengers comply with the regulation, but that we cannot compel them to comply."

Williams, who lives in Spring Hope, N.C., was arrested by Rocky Mount, N.C. police on charges that he violated a state law requiring segregation. Later, the complaint was dismissed on the ground that the law did not apply to interstate passengers.

**Sues Coach Company**

At the time of his arrest, Williams was traveling from Spring Hope to Norfolk, in September, 1950.

He sued the coach company for damages in the Federal District Court here. The bus company appealed the decision of the District Court awarding him \$251 compensatory damages.

Martin A. Martin, NAACP lawyer, said the organization contended (1) that Williams, en route from Spring Hope to the Norfolk Naval Air Station, had been falsely arrested and (2) that the company's rules and regulations requiring segregation were unconstitutional. He added:

"The District Court sustained us on both points and awarded damages. But while the Court of Appeals held in favor of Williams on the first charge, it held that it was "unnecessary" to decide at this time whether the rule requiring segregation under any and all circumstances is unconstitutional."

**Rules Unreasonable**

"The court held that as applied in this case, the rules were unreasonable and could not be enforced. It held further that once a person is seated on the bus, he can not be made to move because of his race.

"Since the Court of Appeals didn't rule directly on the matter, the lower court ruling still holds and the lower court said that segregated seating was unconstitutional."

**Court Ruling**

Mr. Martin told the AFRO that the NAACP would not appeal," he said, adding that the company's attorney had indicated a willingness to let sleeping dogs lie.

Here in part, is the Court of Appeals ruling:

"It appears the plaintiff was originally seated in accordance with the regulations and refused to change his seat when seats to the rear, originally occupied by Negroes, had become vacant.

"We think the judgment appealed should be affirmed because the regulations relied on were applied by the bus driver in an unreasonable manner in requiring the passenger to change his seat in an interstate journey after he had been properly seated in accordance with the regulation."

The NAACP based its case on the Chance vs. Atlantic Coast Line railroad case, decided in 1952. In this case, a Federal court ruled that a man taking a seat in an unsegregated coach in Washington, D.C., could not later be forced to move because of race.

The court also held that any rule or regulation ordering him to do so was unconstitutional.

The railroad company appealed; but the U.S. Supreme Court refused to review the case, thereby substantiating the lower court decision.



# White Woman Files \$50,000 Suit On Bus Seating

*Added  
Jackson, Miss.  
7-11-53*  
KNOXVILLE, W. Va. — A white woman Friday named two bus companies and one bus driver in \$50,000 law suit on the grounds that she was put off a bus when she refused to sit in the Negro section at the rear of the bus.

*8/1/53*  
Mrs. Beatrice White, of Montgomery, W. Va., claims she boarded a Greyhound bus at Birmingham last July 5, enroute to Bluefield, W. Va., and in Knoxville the driver told her to go to the rear of the bus or "get off." Tennessee Coach Lines also was named in the suit, since Greyhound uses their franchise in that area.



# LET THEM SPEAK UP FOR US

(An Editorial)

Mayor James W. Morgan, president of the Birmingham City Commission, prior to boarding a plane to take off to Washington, D. C. in an attempt to persuade the Eisenhower Administration to endorse "Birmingham's Racial Relocation Plan", is quoted by The Birmingham News as saying, in part:

"I believe that certain interests are agitating against the plan for selfish reasons. The NAACP, unfortunately, has stirred up the racial angle where none exists."

But the facts are contrary to the statement attributed to Mr. Morgan. When the protest meeting was held at the City Auditorium the loudest protests came from white property owners. At the hearing held at City Hall, the same thing was true. At City Auditorium, the Rev. J. W. Goodgame, Jr., pastor of Sixth Avenue Baptist Church and former Congressman George Huddleston, Sr. were among those sounding off against the project.

The Home Owners Protective League, an independent community group, was meeting, employing a lawyer, going to court against the move-out-the-Negroes plan long before the problem came officially to the attention of the NAACP. A white group also instituted legal action aimed at halting the project.

Mr. Morgan, according to The News, also said:

"I note that a number of persons on the Citizens Advisory Committee Group (are there any Negro members?) working towards the goal of an expanded Medical Center are members of the County's Interracial Committee."

It should be pointed out that there are three essential features of the "Racial Relocation Plan". 1. Some 5½ blocks are sought for public purposes. 2. Six blocks would be provided for private enterprise to develop. 3. One block has been deleted or left where the Sixth Avenue Baptist Church is located.

Certain public facilities in the Medical Center cannot be enjoyed by all because they are not open to all. But under the plan the property of all would be taken from all. This is where the so-called "race angle" comes in. It was put there not by Negro citizens. Negro citizens have not had the opportunity to be members of legislative bodies or any other law-making authority to put any "race angles" into public laws and practice.

Private enterprise under the "Racial Relocation Plan" would be allowed to buy property at which property owners are forced by public condemnation laws to sell. The Supreme Courts of Florida and Georgia have frowned upon such redevelopment projects. This ruling by those two Southern courts did not rest upon the racial angle but upon the free enterprise system. We believe that the issue here is whether municipal authority should be allowed to come in and help private business seize another man's property, be he white or black.

The Birmingham World has interviewed some of the members of the Birmingham interracial Committee of the Coordinating Council of Social Forces. Atty. Arthur D. Shores, a member of the National Legal Committee of the NAACP and vice-chairman of the B. I. C., said that he knew nothing about any endorsement of the "Racial Relocation Project" by the

## ALABAMA

Inter-Racial Committee. It appears that Miss Roberta Morgan, director of the Coordinating Council, sent a telegram to Washington in support of the plan. Her office said that she was on vacation.

This newspaper has not found any of the Negro B. I. C. members who would say for publication or off the record that they were in favor of this plan. Not all of them, we admit, were reached for comment. One said he had not had time to acquaint himself with the issues.

Some of the B. I. C. Negro members are head of civil rights organizations; one is a labor leader; two are managers of low-cost housing projects and about six are on the executive committee of the NAACP in Birmingham, Bessemer or Fairfield. Let them speak up for us.

Here are the Negro members of the Birmingham Inter-racial Committee with the exception of the name of the late Rev. H. B. Gibson:

Mrs. Alice P. Allen  
1606—11th Avenue No.  
7-8327

Mrs. Henry C. Bryant  
431 Twelfth Terrace No.  
3-4475

Mr. Robert F. Cear  
1145 North Center St.  
3-3912

Mrs. Lucille Douglass  
1258 Avenue L  
Ensley, Alabama  
58-6163

Dr. W. J. Dowdell  
1615—9th Avenue No.  
Bessemer, Ala.  
51-54426

Mr. C. J. Greene  
1048 North Second Street  
4-1952

Mr. W. H. Hollins  
1021 North 4th Street  
3-4958

Prof. R. C. Johnson  
509—11th Avenue No.  
3-8788

Mr. Hartford Knight  
109—3rd Avenue, S. W.  
4-2736

Rev. G. W. McMurray  
1524—4th Avenue No.  
3-4016

Prof. E. J. Oliver  
6013 Third Avenue No.  
9-1882

Prof. C. L. Reeves  
107 Tenth Avenue No.  
7-7987

Prof. B. M. Montgomery

2702 Loveless  
Homewood, Alabama  
2-3838

Mr. Norman S. Randall  
348—28th Avenue W.  
4-2191

Mr. Dillard Scurlark  
1625—22nd Street  
Ensley, Alabama  
56-4581

Mr. W. E. Shortridge  
311—17th Street  
Ensley, Alabama  
6-3119

Rev. C. E. Thomas  
712 North 15th Street  
54-5492

Rev. W. Prince Vaughn  
1017 No. 25th Street  
7-1431

Mrs. A. O. Ward  
21—12th Avenue No.  
7-6782

Mr. A. B. White  
1052 No. 2nd Street  
3-9965

Rev. E. W. Williams  
213—56th Street  
Fairfield, Alabama  
6-8382

Prof. Henry J. Williams  
6215—2nd Avenue So.  
9-0898

Mrs. Hattie B. Witt  
1023 North 5th Street  
3-6798

Atty. Arthur D. Shores  
Masonic Temple  
54-7691

Signed: Emory O. Jackson, managing editor.



# Birmingham's Medic Center Brand B'ham Tests Ike's Bias Ruling Slum

## 2000 Families Must Move To Make Way For Medical Center For White Only

WASHINGTON, D. C.—(NNPA) Three hospitals, a motel, private housing, and other types of building on development. But the local City of Birmingham will bear one active trying to secure the relocation money. Money will be needed badly should the housing fight have to be shifted to the courts. Right now, it seems, that steps should be in preparation for carrying the battle against the obviously "Racial Relocation Plan" directly to the White House in the event of an unfavorable decision from the Housing and Home Finance Agency. Then from the White House to the Courthouse, if victory is not found.

City officials first announced the housing would be for whites only. Later, the plan was revised to provide only limited dormitories for employees of the Medical Center. These too would be for white only. Pleasant plans also call for setting aside a part of the cleared area for small businesses, such as retail stores and shops. The city refused to agree that these shops will be open to all people without regard to race. The NAACP delegation also emphasized that the city had not provided a workable plan for rehousing the colored families that will be displaced by the project.

After hearing representatives of the National Association for the Advancement of Colored People last Friday, the NAACP delegation also emphasized that the city had not provided a workable plan for rehousing the colored families that will be displaced by the project.

The HHFA Administrator said he would study the matter but assured the NAACP representative that there would be no mistreatment of people on the basis of race.

### ADEQUATE NOTICE

Before he makes a final decision, he said, he will give adequate notice to interested parties.

Clarence Mitchell, head of the Washington Bureau of the NAACP, said after a hearing with Mr. Cole that if the project is approved President Eisenhower will be asked to overrule Mr. Cole, and if that is not done the matter will then be taken to the courts.

The plan for expansion of the Birmingham Medical Center calls for clearing buildings in the area and redeveloping it on a planned basis with private capital. The Birmingham Housing Authority wants to borrow approximately \$4,500,000 to purchase the twelve and a half blocks of property needed for the project.

### NEGROES BARRED

NAACP representatives last Friday urged Mr. Cole to turn down the application for Federal assistance for the project because colored people will be wholly barred from the facilities which are to be

constructed on the site. Three hospitals, a motel, private housing, and other types of building on development. But the local City of Birmingham will bear one active trying to secure the relocation money. Money will be needed badly should the housing fight have to be shifted to the courts. Right now, it seems, that steps should be in preparation for carrying the battle against the obviously "Racial Relocation Plan" directly to the White House in the event of an unfavorable decision from the Housing and Home Finance Agency. Then from the White House to the Courthouse, if victory is not found.

To build support for the position taken by the responsible leadership of the group, educational meetings, and other kindred devices will be needed to win support. It can't be assumed that the general public knows the core issues, implications, and dangers wrapped up in this redevelopment controversy. The mass redistribution of a minority group to make way for enterprises which will not wholly share the new benefits to be derived with the this disadvantaged group is the central issue. Uncontested a precedent would be established by which the same uprooting of minorities could take place in Smithfield, Ellsberry Sub-Division or Enon.

Involved is the question of good communities. Good housing in bad communities is just as objectionable as bad housing in good communities. The proposed Medical Center Area development scheme doesn't propose to do anything about improving either housing or space for the Negro group. It only seeks to clean them out of an area and the helplessness of those who lack the political power to strike back. It would actually reduce existing housing and force more bidding on the already inadequate number of housing, sub-standard and others.

### THE TIP-OFF

Two more applications for redevelopment funds are being prepared as the decision is awaited from Washington on the Medical Center Ridge area expansion project. One is the Tuxedo proposal and the other is the Avondale project.

Same mistakes are being made. The planning is without the participation of Negro citizens. The thinking seems to ignore the stated Eisenhower policy that federal funds should not be released to support racial discrimination and segregation. The pattern seems to be the same in the two news funds requests being prepared.

Since the hearing in Washington, D. C., August 14, the NAACP-sponsored delegation which con-

ferred with Housing Chief Albert M. Cole has apparently been awaiting housing and city officials have kept active trying to secure the relocation money. Money will be needed badly should the housing fight have to be shifted to the courts. Right now, it seems, that steps should be in preparation for carrying the battle against the obviously "Racial Relocation Plan" directly to the White House in the event of an unfavorable decision from the Housing and Home Finance Agency. Then from the White House to the Courthouse, if victory is not found.

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This is the hour in which bold, clear-eyed, dedicated leadership is needed to rally the people. It is time for our leadership to also take up with the zoning board, the planning committee and local FHA representatives the problems faced by Negro citizens in housing, space and building standards.

Washington (ANP).—Administration of segregation bars colored people from present hospital facilities or forces them to submit to humiliating segregation. This pattern would prevail in the new set-up, they claimed.

One of the present hospitals requires colored patients to use a freight entrance, and "often patients find themselves riding on the same elevator with garbage cans," the delegation charged.

Present plans for the Center include a park which, under Birmingham city ordinances, will be off limits for colored people. Certain areas are designated for badminton courts. "It is ironic," delegation spokesmen said, "that space which could be used for badly needed housing will be converted into badminton courts—for whites only."

The delegation said that slum clearance is a good idea, but in Birmingham the federal government is being asked to participate in a program of "Negro clearance." Cole was urged not to approve the program unless guarantees are given that all housing, businesses, or facilities made possible by the clearance would be available to all on a non-segregated basis.

The Birmingham delegation was composed of Mrs. Ruby Hurley, southeast regional NAACP secretary; Attys. Oscar Adams and Orville Billingley; and the Revs. H. W. Scruggs, pastor of Thankful Baptist church, John W. Goodgame, pastor of Sixth Avenue Baptist church, and J. L. Ware, pastor of Trinity Baptist church.

The delegation was accompanied by Clarence Mitchell, director of the Washington Bureau of NAACP.

In Washington, the Birmingham delegation said that even though housing and business facilities in the area will be limited, they should be open to all. The delegation



The delegation was accompanied by Clarence Mitchell, director of the Washington Bureau of NAACP.



## Med Center housing project answer near after NAACP plea

BY JAMES FREE

News Washington correspondent  
WASHINGTON, Aug. 15 — A final decision on Birmingham's Medical Center expansion program rested Saturday in the hands of Albert Cole, director of the Housing and Home Finance Agency.

Mr. Cole conferred for more than an hour Friday afternoon with representatives of the National Assn. for the Advancement of Colored People.

Several spokesmen for the NAACP in Birmingham attended the meeting, along with Clarence Mitchell, director of the Washington bureau of NAACP.

Both Mr. Cole and Mr. Mitchell said afterward that their session was "satisfactory." Mitchell did not elaborate on this statement.

IF MR. COLE gave any assurances to the NAACP on their demands for a policy of non-segregation on the proposed development, there was no comment about this from the HHFA.

The opposition of the NAACP is the only remaining obstacle to the expansion program for redevelopment of 12 blocks adjoining the Medical Center.

Mr. Cole did not indicate when a decision will be announced. But since the Housing Authority of the Birmingham district evidently has furnished all information requested by the HHFA, an early announcement is likely.

## Medical Center plan approved by Negro group

A group representing more than 200 white and Negro citizens of Birmingham today endorsed the proposed purchase and redevelopment of a 12½-block area adjoining Birmingham's Medical Center.

Endorsement of the plan came from the Southern Negro Improvement Assn. of Alabama, Inc. Samuel H. Moore, president said the program would "eliminate the present slum area which is breeding more than 100,000 crimes a year." The association, he asserted, has pledged "full cooperation in

stamping out crime . . . and redevelopment of the Medical Center area would be one step in this direction."

Another benefit of the project, Moore said, would be "elimination of an area which is a health menace to all its residents."

Moore said the association feels that medical facilities built in the area would be used "to the benefit of both Negro and white."

His group, he asserted, "also believes the city will act in good faith in providing families, which will be displaced by the project, with suitable homes better than those they have now."

Moore said he planned to confer with Mayor James W. Morgan in the near future.

The National Assn. for the Advancement of Colored People opposes the redevelopment project, charging it has been shown no plan for relocation of the 529 families to be displaced. The NAACP also charges that the project would discriminate against Negroes.



# Declares 'Bull' Connor Hindered Bombing Probe

BIRMINGHAM, Ala. — Henry Darnell, a Birmingham detective, declared at a hearing before the Personnel Board last week that in his opinion Commissioner Eugene 'Bull' Connor hampered the investigation on the bombings of Negro houses here in 1949.

The detective charged also that the police beatings that attracted considerable attention a little later were attributed to low morale caused by the policies of Connor and ex-police Chief Hancock.

Darnell did not elaborate on how Connor hampered the investigation in the bombings of Negro homes.

Darnell was the man who arrested Connor in December, 1951, on a morals charge. Connor was discovered in a Birmingham hotel room with his secretary, and charged with taking her there for immoral purposes.

Connor supported a city ordinance directed against vice, and ironically was arrested and prosecuted under the law.

## Birmingham's Racial Relocation Plan

After careful study, this newspaper has come unhappily to the conclusion that the proposed Medical Center Redevelopment Project plan is in fact and in conception Birmingham's racial relocation plan. Unless safeguards of which we have entirely overlooked are in the plan Negro property owners will be uprooted and re-distributed into other sections of the city. It appears to be a clever reworking of the spirit of the invalidated racial zoning laws.

We do not see how an agency of the federal government could give its approval to "Birmingham's Racial Relocation Plan." According to The Birmingham Post-Herald in a page one story May 26, the City Commission.

"... deleted ... a section of the plan about 'race, creed or color' ... This deleted section set forth the condition that none of the land cleared of slums could be sold or used in any manner which took 'race, creed or color' into consideration."

That is clear and unmistakable. It shows that the City Commission's actions are directed at clearing the Negro homeowners out more than getting rid of the slums.

No chance will be given to Negro tenants and property owners to re-locate in the area that has been rebuilt. They will be moved out for keeps but white tenants and property owners can return. This is vicious and undemocratic. Must something like this be allowed to happen in a democracy?

We express surprise that some of those of our group expected to be fair have been unfair to our cause. For they know the meaning of the deletion of the protective clause for minorities. Yet they keep quiet. They speak of "progress". But progress which throws one man out of his home so that another may enjoy it solely because of race is not progress but discrimination.

There are no Negro members on the Birmingham Housing Authority; none participated with the planning group. Negro citizens lack adequate political voice to speak in a way to be heard in Birmingham. They are forced to look to God; compelled to appeal to the federal government. Those expected to speak for them too often choke up when they should speak out.

Birmingham is racing with a June 30th deadline. They are hurrying to get this plan approved to us. Those property owners can carry their fight to Washington in protests and to God in prayers.

# Court Test Slated On Project Today

BY EMORY O. JACKSON

Approval by the City Commission last Tuesday of the Medical Center Area Redevelopment Project plan runs into legal challenge this morning.

Some property owners in the area, Negro and white, are seeking an injunction before Circuit Judge Eugene H. Hawkins seeking to stop the redevelopment plan.

NAACP officials here yesterday were showing interest in the case as they began to develop a series of steps which seem designed for the federal courts. It is known that the association asked its Washington bureau to check into the proposal.

What NAACP officials seem to be particularly concerned about this development as reported Tuesday, May 26 in The Birmingham Post-Herald, is as follows:

"Housing Authority officials agreed to make two changes to satisfy Police Commissioner Eugene Connor and one change for Mayor James Morgan."

"Connor had insisted:

"1. That the slum clearance plan make it clear that a map of the proposed redevelopment showing streets closed was not final and that no streets could be closed without permission of the City Commission."

"2. That a section of the plan about 'race, creed or color' be deleted."

"This deleted section set forth the condition that none of the land cleared of slums could be sold or used in any manner which took 'race, creed or color' into consideration."

"Deletion of the section does not change this condition. It merely omits formal statement of it."

"Under a U. S. Supreme Court ruling, federal money cannot be spent in a manner which considers race."

None of the Negro property owners who appeared at the Tuesday City Hall hearing availed themselves of the opportunity to speak, despite the deletion of the non-discrimination clause by the planners.

Obvious leader of the Negro property owners is the Rev. Hiram W. Scruggs, pastor of Thankful Baptist Church. Although the Rev. J. W. Goodgame, Jr., pastor of Sixth Avenue Baptist Church reportedly appeared at other hearings, he was not spotted at the Tuesday May 26

meeting.

Among those present at the hearing were A. B. White, manager of Smithfield Court Housing Project; W. H. Hollins, Manager of Southern Project and Newt Ward, manager of Loveman Village. Neither had anything to say at the hearing.

Arguments advanced at the hearing included the statement that the Medical Center would need only 4½ instead of 12½ square blocks. The issue of closing a street in the area should not be left to future members of the City Commission.

Such words as leaving the proposal "flexible" and that the "plan could be modified later" crept into the hearing. "Proposal ... plan ... agreement ... resolution" were also terms used in the discussion.

Commissioner Morgan suggested that city officials would reserve the "right to modify" the redevelopment proposal if it won Washington approval in the form in which it is to be presented.

One member of the Negro delegation who declined to be quoted suggested that:

(1) He had heard something about modifying the plan to permit certain property owners to hold their property in the proposed redevelopment area.

(2) That there is an undisclosed plan to extend the medical area to the railroad tracks.

(3) That despite the court's illegalizing the racial zoning laws to set up an area for Negro homes in the south western section of Tittusville.

It appears that the property owners are pinning their hopes on the state court.

A meeting of some of the litigating property owners is scheduled for 7:30 Monday night, June 1 at Mt. Carmel Baptist Church, 15th Street and 7th Avenue South.



## Burdens Without Benefits

Many issues jump up in the proposed Medical Center expansion plan. Most of the problems stem from the housing pattern in this city. Already overcrowded into shabby areas, Negro home owners and tenants are being asked to make sacrifices for a "progress" which there is hardly any evidence they would be able to enjoy with dignity.

385-1111  
Negro home owners are asked to give up their homes and be possibly reduced to renters, or pushed into undesirable areas. They could not buy back, rent back or participate fully in the redeveloped area. Treatment of Negro citizens at Jefferson Hospital is an object lesson of what to expect.

1953  
Last week a group of property owners initiated legal action in the state court seeking an injunction to halt the condemnation. It appears to us that the condemnation move should be challenged in the federal courts on the issue of forcing a property owner to give up his property and then barring him from having as good a chance to use its redevelopment as another solely because of his race. For if such a thing is allowed to go unnoticed one day there might be Negro-owned property that others want who would be tempted to use condemnation proceedings to get it.

Paul  
This newspaper is not convinced that this property should be secured for future development simply because there is a chance to get some money to develop it which might not be available later. The property being sought is not the only areas in the vicinity of the Medical Center.

Meantime we do not desire to convey the idea that only Negro property owners would be affected. What we do say is that the white property owners would not be placed at the kind of disadvantages faced by the Negro residents. The City Commission should first seek to assure the unequally-served group that the racial disadvantages will be wiped out.

Certainly progress is desired. We want it but it should not work a heavier hardship on one group than on another solely because of race. Carefully re-consideration should be given to this point, it seems to us.



## Court Voids Neighborhood Bias Pattern

SAN FRANCISCO — (AP) The State District Court of Appeal ruled last week that Negroes may not be barred from public housing projects in San Francisco on the basis of race.

The "neighborhood pattern" policy which bars Negroes from most projects and is used by the S. F. Housing authority was declared unconstitutional.

This decision upheld a Superior Court ruling of last October that the housing authority acted unconstitutionally in refusing to admit two Negro families.

Franklin H. Williams, regional secretary-counsel for the West Coast jurisdiction of the NAACP, filed the original suit as a test case of segregation in public housing.

Williams said the appellate court's decision should apply throughout California. "We now expect Oakland, Pittsburgh, Vallejo, Stockton, San Francisco and all other communities which have been practicing various forms of segregation in public housing to comply with the law," he said.

Ten projects are operated in San Francisco by the housing authority. One is all Negro, one predominantly Negro, one all Chinese, and the other seven are predominantly white.

**QUALIFIED PERSONS**  
The NAACP is demanding the housing authority to drop its segregation policy immediately and admit all qualified persons to all projects regardless of race.

It is expected, however, that the housing authority will carry the battle to the U. S. Supreme Court, for the decision is based on the federal constitution.

## Drop Eviction Suit Against Mixed Couple

BERKELEY, Calif. — It was learned this week that the attempt to evict a young inter-racial couple from their apartment on 24th st. in Berkeley was dropped today

after the NAACP, through its Regional Counsel Franklin H. Williams, had made direct contact with the landlord, a prominent Berkeley businessman.

Mr. and Mrs. Burton Wolmann had been asked to move earlier in the month and informed that the project was for "white persons." The NAACP was asked for assistance through its Northern Field Secretary Tarea Hall Pittman.

The property is located in a substantially integrated area of West Berkeley and there had been no objection from the young couple's neighbors as far as they were able to ascertain.

## Home Ban Hits Family

SAN FRANCISCO, Calif. — A group of white San Franciscans decided here Friday that prospective Negro neighbors have "every legal right" to move into their new home, but at the same time let it be known that the brown-skinned family would not be welcome.

The white homeowners had met to determine the consensus of feeling over the purchase of 139 Clay Street by Mr. and Mrs. Harry Taylor. The Taylors now live at 2170 Post Street.

**THE THREE-BEDROOM** home on Clay Street was purchased six weeks ago by Taylor, who has a wife and two sons.



# Survey Ends Myth Of Negro Tenants Real Estate Values Don't Drop Because Of Negroes

Real estate values do not necessarily tumble when non-white families move into a previously all-white neighborhood, according to a survey by the University of California.

Figures revealed in the current edition of Collier's magazine show that, in a typical San Francisco area called Silver Terrace, the average price of homes in 1950 was \$9,750. Since that time, there have been 22 sales of homes to whites and six to Negroes, and the average price is \$10,750.

This illustrates the remarkable progress San Francisco has made in a scant six years in an effort to remove the conditions that prevent equal treatment for minority groups.

All over San Francisco there is a growing conviction that discrimination exacts as heavy a tax on the prejudiced majority as it does on the victimized minorities.

At the end of World War II, San Francisco found itself with the largest Chinese and Japanese settlements of any city outside the Orient, and the third largest Mexican and Filipino population on the West Coast.

The city also had experienced a greater short term rise in Negro population than any other city in the United States— from less than 5,000 to more than 50,000 in six years. Altogether, almost 125,000 members of racial minority groups had chosen to live in this city of 750,000. In a city with a past history of discrimination such as San Francisco's, it was an explosive situation.

Civic leaders, industrialists, merchants, utility heads, public officials and school teachers rolled up their sleeves and went to work.

Several of the city's top department stores were persuaded to cooperate. One of the first stores to be approached hired its first Negro clerk without any fanfare. No customer complained. No employee quit. Next a Filipino was placed in the store's haberdashery department. Nothing happened. Two non-white women were hired for the hosiery department, and none of the other women clerks were surprised, outraged or excited.



FIFTY-TWO PUT IT IN WRITING:

# Jackie Robinson, family *After American* welcomed by neighbors

By LYDIA T. BROWN

STAMFORD, Conn. — Jackie Robinson, Dodger outfielder, will soon move his family into a 13-room house on Cascade Rd., in fashionable North Stamford. This climaxes a long search by the Robinsons for a suitable suburban residence.

Mrs. Rachael Robinson, wife of the star baseballer, describing the many rebuffs suffered by the family in their efforts to buy a new home says, "I think we will fit into the community fine and I have no fears at all." Conceding that they "do not expect to be welcomed wholeheartedly by everybody at first," Mrs. Robinson claims that this "is not important at this point."

## 13-Room House

The 13-room house was sold to the Robinsons by Benedict G. Gunnar, a Swede of Stamford, who said that he "thought a long time before making the sale."

But, Mr. Gunnar declared, "I feel that the majority of people here would have no objections to a man of Jackie Robinson's caliber."

Mr. Gunnar plans to build more houses on eight additional acres which he owns adjacent to the Robinson house.

## Asked Opinions

Gunnar disclosed that he had asked three bankers, two lawyers and three businessmen how they felt about his decision to sell to Robinson.

According to Gunnar, these men did not believe that the sale would harm real estate values in the neighborhood.

Fifty-two white families signed a petition circulated by Gunnar, which read:

"We residents of North Stamford believe that we are fortunate in having a fine family neighborhood, in which we live."

"We further believe that any exclusion of any person solely because of race, creed or national origin could lessen the spiritual, economic and social development of our area."

## 'A Good Thing'

The Rev. Ralph G. Hartley,

minister of the North Stamford Congregational church, was outspoken in his belief that it would "be a good thing for the Robinsons to live in the neighborhood."

But, Dr. Warren L. Roule, a dentist, did not think it so good because he is "concerned with the value of his property which is directly across the road from the Robinson home."

Several colored persons have homes in nearby Stamford and there is an AME church, too, in the town.

So far as one was able to learn, though, these colored residents have encountered little or no prejudice, during the seven generations they have lived there.

# Jackie Buys *Defender* Conn. Home *Chicago, Ill.* After Fight

By ARNOLD DE MILLE

NEW YORK — Jackie Robinson, Brooklyn Dodger star player, has finally succeeded in purchasing a \$41,000 home in the exclusive residential section of North Stamford, Conn., after most of the city's leaders, real estate brokers and property owners were threatened with exposure.

According to the report, Jackie Robinson ran into difficulty some weeks ago when he and Mrs. Robinson tried to look over a site on which to build a home. They were told by some of the real estate brokers that they "would not be happy" living in a section where the neighbors might object to their family.

TOLD AN OLD STORY  
They were also old, it was said,

that some of the home owners in Stamford felt that if Negro families moved into the section property values would depreciate.

It was revealed last week that the Robinsons had inspected a partially furnished house on Cascade Road in the North Stamford section and had negotiated this sale for a reported \$47,000 but the developer of the property, Benedict B. Gunnar, verified this fact by saying that no contract had yet been signed by the Robinsons but expressed his willingness to sell to them.

The difficulties the National League star player ran into were first revealed by the Greenwich-Stamford Chapter of the Americans for Democratic Action. Shortly after, the president of the Stamford Board of Realtors said that his organization had made every effort to check the rumors of the alleged discrimination but found no basis for it.

However, the whole dispute came out into the open early last week when ministers in the area learned of it when Mrs. Robinson made a trip alone to inspect the house. A day later they issued

a joint statement and went on record as saying "the exclusion of any persons solely for reasons of race, creed or national origin could lessen spiritual, economic and social developments of our area." Other influential individuals and organizations joined in signing the statement, among them being Frank Altschul, Indiana banker who owns a real estate in the North Stamford section; Oscar Delmar, member of the American Association for the United States; Norman Stelke, president of the Springdale Bank and Trust Company in Stamford; Mrs. Richard Simon, wife of the partner in the publishing firm of Simon-Schuster. Also, the Stamford Interfaith Council organiza-

tion the Roman Catholic, Jewish and Potestant churches and the Stamford Darien council of Churches.

## MEMBERS PEEVED

It is understood that some members of the churches in the area harply criticized the action of their pastors in taking the initiative in behalf of the Robinsons. They accused the ministers of blowing up the issue and said it might jeopardize their investments in the section.

One housewife is reported to have said "it's a difficult and unpleasant situation and it's a pity the Robinsons have to be involved".

Jackie and his family now live in S. Albiens, New York but their family has increased and they need more room, He could not be reached for comment.



## Brown Attack Kills Housing Racial Rider

Special to The Constitution  
WASHINGTON, Feb. 26—Vigorous opposition by Rep. Paul Brown of Elberton was credited Thursday for overwhelming House rejection of a proposed amendment to the Federal Housing Act which would have prohibited repair and improvement loans on projects where segregation restrictions apply.

The amendment, offered by Rep. Franklin D. Roosevelt Jr. of New York, would have required borrowers to give written assurance that property developed or improved would not be limited in any way to persons because of "race, color, creed or place of origin."

"The purpose of this act is to let people who need repair work done on their houses get the money at a reasonable rate of interest," Representative Brown said on the House floor.

"If you place this condition upon a banker or lender, or any other conditions, they will not make the loan, and there will be mighty few loans made in order to help these needy people."

Representative Brown said the loans are small, and that the act sought to take "people away from the money sharks, where they are paying in some communities as high as 35 and 40 per cent."

The House voted overwhelmingly to reject the proposed amendment after hearing Brown voice his protest. Representative Brown is one of the top ranking minority members of the influential House banking committee, which had the legislation in charge.

## Ask High Court Review Of Cafe Race Ban Ruling

WASHINGTON (NNPA) — The "substantial national importance" of two issues is urged by the District of Columbia as grounds for the U.S. Supreme Court to review the decision of the U.S. Court of Appeals holding that restaurants here may legally refuse to serve colored people.

The petition for review of the decision, filed in the Supreme Court last Friday, asserts that the case embraces two subjects of national and local interest—racial discrimination and congressional power to grant home rule—because the appeals court based its decision on the premise that Congress could not, under the Constitution, delegate to the old Legislative Assembly of the District of Columbia authority to legislation to prohibit acts of racial segregation.

Pointing to the importance to the Nation of solving the problem of racial discrimination in the United States, and particularly in the District of Columbia, the petition notes that President Eisenhower, in his State of the Union message, discussed it.

### People Want Home Rule

The court was asked to take judicial notice of the fact that for many years the people of the District of Columbia have been urging Congress to restore to them some measure of home rule.

Residents of the District of Columbia do not have the right to vote in national elections, and the three-member Board of Commissioners, the local governing body, is appointed by the President.

Congress has been considering various bills to give the District of Columbia home rule. Such measures are usually passed by the Senate only to be bottled up in the House District of Columbia Committee, which has been dominated by Southerners.

### Ruling Is Threefold

The effect of the ruling of the

Court of Appeals, the petition states, is threefold:

1. It "freezes" the laws of the District of Columbia in the pattern of racial discrimination, which the people of the District had thrice attempted through their own representatives to reject.

2. It has "erected a barrier" to effective home rule in the District of Columbia.

3. Under the decision, not only is Congress impotent to determine what degree of legislative authority it may delegate to a subordinate District of Columbia government, but every delegation of legislative authority by Congress is subject to "vague, unspecified standards which could only be determined after protracted litigation."

## D.C. Housing Body Boots Segregation

### Public Housing Projects Now Open To All Citizens

WASHINGTON — The second step towards the total integration of public housing projects was taken by the National Capital Housing Authority last Thursday.

Five members of NCHA voted unanimously to open all of its housing projects—planned, built, and opened for occupancy in Washington after Sept. 1, 1951—to all races.

The AFRO learned that the only development now in operation, affected by this resolution, is the 384-unit Stanton Dwellings, Stanton road and Alabama ave., ne.

There are 35 white families, of the 350 housed in the Stanton Dwellings, it is reported.

The project was made interracial last summer in the first step of NCHA toward integration.

The resolution which bans segregation in future housing projects was presented to the housing authority by Col. Campbell C. Johnson. He presented the resolution on Sept. 11, 1951, after a discussion during an Aug. 3, 1951 meeting.

terraces, are: Richardson with 190 units, Washington pl. and 50th st., ne, due to open on June 1; the East Capitol street project, 351 units, slated to open during the spring, 1954; and Highland project, 256 units erected in Anacostia, to open Sunday.

Eugene Davidson, president, District NAACP branch, called the move "a very big step forward."

Another civic leader, who declined to be identified, however, asserted: "We have to watch the NCHA carefully because the opening of the northeast projects might be a move to displace colored persons from southwest."

"The overall plan, I fear, is to make the southwest area lily-white," he said.

Since that time, the AFRO learned, the housing authority tabled action on the resolution. until Thursday, when Colonel Johnson insisted on passage of the proposal.

Colonel Johnson, the AFRO learned, pointed out that President Eisenhower expressed a non-segregation policy for the District of Columbia and the housing authority should conform with it.

The resolution, authored by Colonel Johnson, pointed out that the housing authority "has adhered to its policy of providing public housing for low-income groups of all racial groups in accordance with their needs."

### Responsibility

"As a Federal agency, the NCHA now accepts the responsibility of administering facilities provided by public tax funds without regard to the race, creed, color, or national origin of eligible families."

The adopted resolution pointed out that there is a trend in the nation's capital to end segregation and "nowhere has that trend been more pronounced than in the field of housing."

"In consonance with its responsibility as a Federal agency, and the change in community mores, the Authority is convinced that its program must be operated on a racially inclusive basis," the resolution continued.

### No Restrictions

"In accordance with this opinion, the Authority has determined that all of its housing project—planned, built, and opened for occupancy after Sept. 1, 1951—shall be operated on a racially inclusive basis, where eligible applicants shall be offered dwellings in these properties without restriction as to race, creed, color, or national origin," it concluded.

In addition to Colonel Johnson, the following members voted to adopt the resolution: C. Melvin Sharpe, president, District school board; Tracey Augur, Urban

Planning director, General Services Administration; and John Nolen, chairman of planning, National Capital Planning Commission.

Mark Lansburgh, chairman, Redevelopment Land Agency, was not present at the meeting.

## End Segregation In D.C. Projects

WASHINGTON, D. C. (NNPA) — The National Capital Housing Authority last Thursday voted unanimously to open all projects constructed since September, 1951 to both colored and white occupancy.

The "open" policy is to apply to all dwelling units now under construction or to be built.

The only development completed since September, 1951, is the 348-unit Stanton Dwellings, Alabama avenue and Stanton road southeast, which is presently occupied by both white and colored families in roughly a 90 to 10 per cent ratio.

Other projects are in the planning stage. Construction on a 391-unit project was begun two weeks ago at East Capitol and 58th sts. southeast.

## High Court

## Bans Racial

## Post Clause Suits

Claims for Damage

Voided Sales of  
Restricted Property  
To Non-Caucasians

By Joseph Paull  
Post Reporter

Signers of racial covenants cannot be sued for damages resulting from sale of the restricted real estate to non-Caucasians, the Supreme Court ruled yesterday.



By a 6-to-1 vote, the high tribunal extended its 1948 ban on restrictive covenants. The new decision prevents court enforcement by damage suits of clauses often inserted in real estate deeds forbidding purchase or use of the property by certain racial or religious groups.

Although the decision by its terms is directed at State courts, it also would encompass the District. Covenants similar to those involved in the decision are also in use in the Maryland and Virginia suburbs.

The majority decision was delivered by Justice Sherman Minton. The sole dissenter was Chief Justice Fred M. Vinson. Justices Stanley F. Reed and Robert H. Jackson did not participate.

The far-reaching case originated in Los Angeles, where a house in a restricted neighborhood was sold to Negroes. Neighbors sued the white seller of the home, alleging they were damaged to the extent of \$11,600 by the sale.

The California course threw out the suit. The Supreme Court granted a review because of the important constitutional question as to whether, in such suits, the covenants deprived non-Caucasians of equal protection of the laws as provided by the Fourteenth Amendment.

In 1948, the Supreme Court had declared that suits in equity to compel the eviction of Negroes from restricted areas is unenforceable, as against public policy. However, it left open the question of whether damage suits against the sellers could be maintained.

In the meantime, lower courts reached differing decisions. Michigan and the District of Columbia refused to entertain the damage suits. Missouri and Oklahoma disagreed.

Minton said that while it was permissible for racial covenants to be enforced by "voluntary adherence" of the covenants, the State cannot be asked to intervene because of public policy.

Referring to the suit before the court, which involved a woman seller of the restricted property, Minton declared:

"To compel respondent (the seller) to respond in damages would be for the State to punish her for her failure to

perform her covenant to continue to discriminate against non-Caucasians in the use of her property."

Minton declared that the aggrieved neighbors are not deprived of any constitutional rights. He added:

"If a State court awards damages for breach of the restrictive covenant, a prospective seller of restricted land will either refuse to sell to non-Caucasians or else will require non-Caucasians to pay a higher price to meet the damages which the seller may incur. Solely because of their race, non-Caucasians will be unable to purchase, own, or enjoy property on the same terms as Caucasians."

Minton acknowledged that the Negro occupants were not themselves being sued. But he declared:

"It sufficiently appears that mulcting in damages of respondent will be solely for the purpose of giving vitality to the restrictive covenant, that is to say, to punish respondents for not continuing to discriminate against non-Caucasians in the use of her property. . . . The law will permit respondent to resist any effort to compel her to observe such a covenant, so widely condemned by the courts, since she is the one in whose charge and keeping reposes the power to continue to use her property to discriminate or to discontinue such use. . . . She will be permitted to protect herself, and by so doing, close the gap to the use of this covenant, so universally condemned by the courts."

#### Chief Justice Dissents

Vinson's dissent was acid.

"The Court, by a unique species of arguments," he said, "had developed a unique exception to anotherwise easily understood doctrine."

He stated it is "not amiss to point out that the majority has failed to put first things first; it decides the merits and then, confronted by its decision on the merits, resolves its doubts that it has power to decide the merits."

Noting no non-Caucasian was being sued in the case, Vinson argued:

"The short of that matter is that the parties thought that any influx of non-Caucasian neighbors would impair their enjoyment of the properties, and, whether right or wrong,

each had the right to control the use of his property against that event and to exact a promise from his or her neighbor that he or she would act accordingly. . . . By this suit the plaintiffs sought only to have respondent disgorge that which was gained at the expense of depreciation in her neighbor's property."

#### Refers to "Interference"

The majority ruling, he said, might be proper in the Federal courts, but interference with the State courts must rest on the Fourteenth Amendment.

"Since we must rest our decision on the Constitution alone, we must set aside predilections on social policy and adhere to the settled rules which restrict the exercise of our power of judicial review—remembering that the only restraint on this power is our own sense of self-restraint," Vinson declared.

The decision was being read carefully by attorneys for real estate men. Both the National Association of Real Estate Boards and the Washington Real Estate Board declined immediate comment.





—Herald Staff Photos by John Walther

MR. AND MRS. JOHN RUSSELL

... witnesses in bombing probe leave federal building

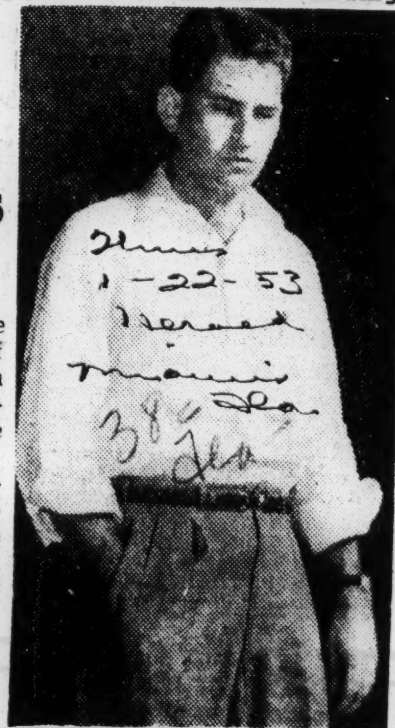
## Jury Resumes Its Inquiry Into Bombings

By DAVID KRASLOW  
Herald Staff Writer

A Ku Klux Klansman and the husband of a woman accused of perjury testified Wednesday as a federal grand jury resumed its investigation of the Carver Village bombings.

The Kluxer, Roy Talmadge Luttrell, 115 W 26th st., Hialeah, made his fourth appearance before the jury since it began a probe of racial bombings in Florida last Oct. 6.

John Russell, 743 NW 63rd st., whose wife, Helen, was indicted by the jury last month on charges of perjury, followed Luttrell into the grand jury room.



ROY TALMADGE LUTTRELL  
... Ku Klux Klansman testified

Others who testified Wednesday included: Ira David Hawthorne, 925 NW 69th st., president of the Dade County Property Owners Association; M. L. Todd, 8415 NW 10th ave., chairman of the Citizens Action Committee and former long-time president of the Edison Center Board of Trade. John Bouvier and Malcolm

Wiseheart, developers and still owners of the Carver Village housing project; Joseph R. Steadman, 783 NW 63rd st.; William C. Klein, 789 NW 63rd st., and the Rev. Bailey V. Rivenbark, 1811 NW 43rd st., an ordained minister in the Church of God.

Russell and Hawthorne had been before the jury previously. Todd's wife also had testified.

## Florida

The indictment accused Mrs. Russell of lying under oath when she denied she met with Klan leaders to discuss "ways and means" of handling the Carver Village situation.

Mrs. Russell waited in the United States attorney's office while her husband testified, then left the building with him.

Except for announcing that the jury had recessed until next Wednesday, L. E. Broome and Emory S. Akerman, special assistants to the attorney general, who are directing the probe, declined comment.

## Grand Jury Sees More Outbreaks

### Burden Of Law Enforcement Laid On Local Authority

By International News Service

MIAMI, Fla. — A federal grand jury has laid the burden of Ku Klux Klan violence on the shoulders of local authorities and warned that new outbreaks can be expected.

A 23-man panel, meeting since Oct. 6, 1952, to probe bombings and attacks blamed on Klansmen in the Miami area, issued its report Wednesday. No indictments were returned.

IT SAID THE Klan had a part in 19 acts of violence since 1943. These included attempts to dynamite synagogues and churches, and blasts that destroyed Negro housing and killed Harry T. Moore and his wife, Christmas, 1951.

However, the jury found that where federal authority exists it is incidental to the state power and that the burden of holding down violence is up to state and local officials.

IT ADDED that more bombings can be expected unless slums are cleared and adequate

"In its own perverted way it is as destructive of basic American liberties as Communism itself."

## No Convictions In Bomb Cases

MIAMI, Fla. — The Federal Government spent thousands of dollars in months of investigations into the bombings of Negro apartments in Miami, and the bomb murder of Harry T. Moore and his school teacher wife, but "the mountain brought forth a mouse."

The probe of the terroristic bombings which brought indictments of witnesses for lying in their testimony has resulted in not a single conviction.



# No Indictments Returned In Probe Of Mims Bombing

MIAMI — (INS) — A Federal Grand Jury probing terror and violence in Florida Wednesday delivered a stinging denunciation of the Ku Klux Klan, but no indictments were forthcoming from the more than five months of meetings.

The 23-man panel was called October 6, 1952, and devoted its primary interest to late 1951 explosions in Carver Village, an unoccupied Miami Negro housing area, and a bomb blast Christmas night, 1951, at Mims that killed Negro leader Harry T. Moore and fatally injured his wife.

The various attempts to dynamite synagogues and churches in the Miami area in the fall and winter of 1951 were also given close scrutiny in the 28 days the panel met.

A total of 19 acts of violence dating from 1943 were noted in the lengthy report. The jury said it was convinced that the Klan had a part in all of them.

## HOME BOMBING

They included burnings of homes occupied by Negroes in Miami white neighborhoods, brutal beatings of white men "who neglected their families... beating on white girls for bathing in the nude... beating of a Negro man for "sassing" a white woman."

It was pointed out that "this catalogue of terror is not complete... details grow monotonous through sheer repetition."

The report began its attack on the Klan by saying "it is founded on the worst instincts of mankind."

## INTOLERANCE NOTED

"At its best, it is intolerant and bigoted. At its worst, it is sadistic and brutal," continued the report. "Out of the wells of prejudice it draws its inspiration. It is a foul pollution of the body politic, a dangerous growth that will not be cured until the hand of every decent man is raised against it and the whole power of the law is marshalled to stamp it out."

"In its own perverted way it is as destructive of basic American liberties as Communism itself."

The report noted that many Klan members are business, professional men and politicians. And it was observed "that probably not all of its members are bad and vicious men" who know what is being done by some Klansmen.

It called upon these naive members, as well as other citizens, to furnish evidence of the "evil practices" whenever possible.

The burden of holding down acts of violence in Florida was laid at the door of state and local officials by the panel, which claimed that

where federal authority does exist it is incidental to the state power.

The city of Miami was chided for allowing Negro slum conditions to reach "the state of exploitation that ought to shock the conscience of any community."

It was pointed out that Miami's more than 40,263 Negroes occupy less than five per cent of the available residential area in a city that had a 1950 census figure of almost 250,000.

And a warning was issued that more bombings could be expected unless slum clearance and adequate housing are not provided for Negroes.

"Apathy and inaction is open invitation for another Carver Village," said the report.



# 2 Owners of Carver Village To Testify in Bombing Probe

By DAVID KRASLOW

Herald Staff Writer

John A. Bouvier, Jr. and Malcolm B. Wisehart, Miami builders, will be subpoenaed this week to appear before a federal grand jury investigating the Carver Village bombings. The Herald learned Tuesday.

Bouvier and Wisehart developed and still own Carver Village, Negro housing development, and Knight Manor, a bordering apartment project for Whites in Edison Center.

When they will be asked to testify could not be learned, but the grand jury is scheduled to re-convene next Wednesday after a recess of more than a month.

Speaking for both men, Bouvier commented:

"If we are called, we will cooperate with the grand jury in every way possible. We will be delighted with the opportunity to meet with the jury. We will tell them everything we know."

In addition to Bouvier and Wisehart, the jury will summon other witnesses in connection with the Carver Village phase of the probe into dynamitings and other acts of racial terrorism in Florida.

Names of the witnesses are being withheld until after they have been served subpoenas.

The grand jury began its investigation last Oct. 6 and so far has been concerned only with the bombings at Carver Village in the fall of 1951.

The jury recessed on Dec. 10 after indicting civic leader Mrs. Helen Russell and three Ku Klux Klansmen on charges of lying.

After the first dynamiting of a vacant apartment building in Carver Village in September, 1951, Bouvier described the bombing as a "dastardly act of potential murderers."

But he added that the horror may have different effect from the one intended.

"It may well focus the attention of all right-thinking citizens

of Miami on the necessity of intelligent expansion of existing Negro areas," he said.

"We must either expand existing areas or create new ones," he added. "There is no other way out."

"Someone is going to be displeased or dissatisfied. Our democracy rests on the basic theory of the greatest good for the greatest number."

As recently as last October, Bouvier and Wisehart informed the city commission that more apartments in Knight Manor may be opened to Negro families unless the city of Miami buys the controversial development.

In letters to members of the city commission last October, Bouvier said 216 units in Carver Village are fully occupied by Negro tenants. He stressed that there are 46 units vacant in apartment buildings where White families live.

He said the developers could not allow this condition to continue. The Miami Housing Authority turned down, however, a city commission suggestion that it buy the development for low-rent public housing.

## Bomb Probe Calls Kluxer And Minister

A minister and a Ku Klux Klan member have been subpoenaed to testify Wednesday before a federal grand jury investigating the Carver Village bombings, it was learned Monday.

They are:  
THE REV. BAILEY V. RIVENBARK, 1811 NW 43rd st., identified as an ordained minister in the Church of God.

ROY TALMADGE LUTTRELL, 115 W 26th st., Hialeah a member of the John B. Gordon KKK klavern in Hialeah.

The Rev. Mr. Rivenbark does not have his own church here. He

owns a real estate business in Miami and preaches part-time.

Luttrell already has appeared three times before the jury, which recessed on Dec. 10 after indicting Mrs. Helen Russell, a civic worker, and three other klansmen on charges of perjury.

When the jury reconvenes Wednesday, it is scheduled to hear from nine other witnesses.

"I don't have the least idea of what they want," commented the Rev. Mr. Rivenbark, who said he has been in the ministry for 35 years. "I don't know a thing about the Carver Village bombings."

The Rev. Mr. Rivenbark said he was acquainted with a grand jury witness who is a former husband of a distant relative of the minister. The witness is Joseph F. Chapman, 80 W Fourth st., Hialeah, a member of the Hialeah Klan organization up until two years ago. When, he told The Herald, he resigned from the KKK.



## Close This Loophole

Since the Supreme Court ruled in 1948 that racial restrictive covenants could not be enforced by the courts, certain real estate interests have been searching for an evasive loophole.

Some believe they have found the answer in the practice of filing damage suits against the owner of race-restricted property when he sells it to Jewish, Oriental or colored buyers.

Supreme Courts of the various states are divided on the issue. Missouri and Oklahoma hold that the seller is liable. California and Michigan insist he is not.

The decision of the United States Supreme Court to rule on the issue is therefore welcome. It needs to be settled once and for all.

If persons who sell their property to anyone able to buy, find themselves in increasing numbers subject to punitive damage suits, the result would be to nullify the court's historic decision outlawing restrictive covenants.

We are firmly convinced that the Supreme Court will not hesitate to clarify the situation by decking California and Michigan are right; Missouri and Oklahoma are wrong.

To do otherwise would be to back down on the strong and unequivocal position the court took five years ago.

If residential segregation was wrong then, it's wrong now. Efforts to revive it through the negative device of damage suits must be slapped down — and quickly.

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## Racial covenant violation ruled non-collectable

WASHINGTON, June 15 (AP)—The Supreme Court decided today that a house owner may not be sued for violating a racial covenant.

The decision was an extension of a 1948 ruling of the high court that restrictive real estate covenants of that kind are legal on a voluntary basis, but cannot be enforced in the courts.

Today's finding applied specifically to a Los Angeles property formerly owned by Leola Jackson. Three neighbors sought damages from her on the ground she violated a 1944 agreement when she sold her house in 1950.

Justice Minton delivered the court's decision. Justices Reed and Jackson took no part.

Chief Justice Vinson dissented, making the court's vote 6-1. Besides Minton, the majority was composed of Justices Black, Frankfurter, Douglas, Burton and Clark.

The case involved an agreement that properties in the neighborhood were never to be occupied by any person "not wholly of the white or Caucasian race." The signers also agreed that the restriction would be included in all papers and transfers of properties.

Miss Jackson did not include a restrictive racial clause in the deed when she sold the house. Seven months after the sale, Negroes moved into the house. The three neighbors in seeking damages in state court said property values suffered a severe drop after the Negroes moved in.

The California courts dismissed the neighbors' damage suit and cited the 1948 Supreme Court ruling.

Minton said it "sufficiently appears" in the record of the Jackson case that "mulcting in damages of Leola Jackson would be solely for the purpose of giving vitality to the restrictive covenant, that is to say to punish her for not continuing to discriminate against Caucasians in the use of her property."

Minton added:

"This court will not permit or require California to force respondent (Leola Jackson) to pay damages for failure to observe a restrictive covenant that this court would deny California the right to incorporate a statute, or that could not be enforced in a federal jurisdiction because such a covenant would be contrary to public policy."

Minton said the neighbors who sought damages contended that for California courts to refuse to enforce the covenant impaired the obligations of their contracts in violation of the federal Constitution.

"The short answer to this contention," Minton said, "is that this constitutional provision is directed against legislative action only."

## Restrictive Covenant Decision Is Broadened

### Damage Suits Over Sales To Negroes Banned

WASHINGTON — (INS) — The Supreme Court Monday broadened a five year-old decision against racial covenants which ban the sale of property to Negroes.

By a 6-1 vote, the court outlawed damage suits stemming from the sale of property later occupied by Negroes in violation of such covenants.

In 1946, the tribunal had barred the courts from enforcing the racial restrictions. Monday's decision broadens the ruling to cover damage suits as well as injunctions.

The ruling was handed down in a case involving three Los Angeles property owners who sought damages from Leola Jackson after she moved into her home.

The Jackson woman signed a racial covenant in 1944 with her neighbors to prevent persons not of the white race from moving in to the neighborhood.

Six years later, Negroes began occupying her home and three other property owners who had signed the covenant sued her for damages.

California court threw out the damage suits on grounds that the 1948 supreme court decision prevented them from taking any action.

## SUPREME COURT RULES OUT SUIT IN RACIAL CASE

Washington, June 15 (AP)—The Supreme court decided today that a houseowner may not be sued for violating a racial covenant.

The decision was an extension of a 1948 ruling by the court that restrictive real estate covenants of that kind are legal on a voluntary basis but cannot be enforced in the courts.

Today's finding applied specifically to a Los Angeles property formerly owned by Leola Jackson. Three neighbors sought damages from her on the ground she violated a 1944 agreement when she sold her house in 1950.

Justice Minton delivered the court's decision. Justices Reed and Jackson took no part. Chief Justice Vinson dissented, making the court's vote 6-1. Besides Minton, the majority was composed of Justices Black, Frankfurter, Douglas, Burton, and Clark.

### Agree to Extend Covenant

The case involved an agreement that properties in the neighborhood were never to be occupied by any person "not wholly of the white or Caucasian race." The signers also agreed that the restriction would be included in all papers and transfers of properties.

Miss Jackson did not include a

Other Court Actions  
In other actions at its last regular session until Oct. 5 the high tribunal:

1. Ruled 6 to 3 that murder convictions which involve forced confessions need not fall unless it is also shown that the jury could not have convicted the defendant without the invalid con-

Since that time, the Supreme courts of Missouri and Oklahoma have held that damages could be collected for such breaches of the agreements. However, the Michigan Supreme court, a United States District judge in Washington, and the California courts ruled against such suits.



cession. The opinion involved death sentences given three men for the holdup-killing of a Readers Digest messenger near Chapqua, N. Y.

2. Let stand by refusing to review a decision upholding a California law requiring gasoline station price signs to show the total price charged for fuel, in letters as large as other lettering on the signs. The decision by the California Supreme court was appealed by Serve Yourself Gasoline Stations, Inc.

3. Denied a hearing to Frank Cammarata, an alien who is fighting extradition from Ohio to Michigan, where he is slated to finish out a 15-to-30 year prison term for bank robbery. He was paroled from the Southern Michigan prison in 1936 so he could be deported to Italy but returned to the United States illegally.

4. Decided to look further into the action of the United States District court at Jackson, Miss., in dismissing perjury indictments against five Mississippi Democrats. The indictments resulted from their statements to a subcommittee of the senate executive expenditures committee in Jackson in April, 1951. The District court said the indictments were defective because they did not give the name of the officer who administered the oath. The justice department appealed and the high court agreed to review the case.

5. Agreed to review the action of a Nevada state court which blocked the extradition of Joseph Stacher to New York to face charges of conspiracy, forgery, and gambling.

6. Refused by a 6 to 2 decision to order a new hearing for two Negro members of the United States air force who are under death sentences for the rape-murder of a white girl on Guam. The Negroes, Robert W. Burns and Herman P. Dennis Jr.

## Judge Hastie Denounces Segregation In Housing

By ALIVE DUNNIGAN  
WASHINGTON — (ANP) — Racial segregation in housing was railed by Judge William H. Hastie last week as "the most sinister aspect of segregation characterizing our national life today."

Speaking at the annual convention of the Anti-Defamation League of B'Nai B'Rith, Judge Hastie declared that in his opinion "segregated housing is more than any other single feature of American urban living to make members of the segregated minority, and particularly Negroes, as the largest such minority, strangers in what is nominally their home community."

The Circuit Court of Appeals judge was only one of the many outstanding judicial, legislative, religious and educational leaders who participated in the 40th anniversary celebration convention of the Anti-Defamation League meeting three-days in Washington. These leaders analyzed key problems of race relations and civil liberties and offered recommendations for coping with these problems.

Appearing on the same program with Judge Hastie were Dr. Lewis Webster Jones, president of Rutgers university, discussing schools and education, and Sen. Hubert R. Humphrey of Minnesota, speaking on civil rights legislation.

Victor Rensler, assistant brother to the president of CIO, Walter Outlined the problem of discrimination in employment.

Julius A. Thomas, director of industrial relations of the national Urban League, and Dr. Charles S. Johnson, president of Fisk University, participated on the panel discussion along with George S. Mitchell, executive director of Southern Regional Council.

Sen. Humphrey urged that a "politically realistic" FEPC bill be passed during the coming session of congress. He sharply criticized the Republican Administration for failure to advance civil rights legislation, pointing out that an administrative sponsored fair employment practices bill has been introduced in every congress since 1944 except this one.

The Minnesota senator also called for the establishment of a joint congressional committee on civil rights to maintain continuing investigation in the facts of group discrimination and make recommendations for remedial action. "This would make it possible for the gov-

ernment to bring together many of the organizations working in the field of human rights for a combined assault on remaining areas of discrimination.

Diplomats included Ambassador Abba Eban of Israel and Minister R. H. Scott of the British Embassy. Other honor guests included top brass in the military forces, members of the White House staff, Administrators of government agencies and ranking officers of B'Nai B'Rith.

The "Dinner with the President" script was written by Milton Geiger and William N. Robson, directed by Byron Paul, produced by Martin Margulies and narrated by Walter Cronkite and Ben Grauer, Rex Harrison and Lilli Palmer.

Beside Robinson and Warfield, other artists, featured in the cast were Thelma Ritter, Eddie Fisher, Jane Froman, William Frawley, Vivian Vance, Desi Arnez, Lucille Ball, Ethel Merman and Helen Hayes.

The vast crowd overflowed the Presidential ballroom into the adjacent Chinese Room where spectators watched the show which was televised on all three national hook-ups, CBS, NBC and ABC. Those who were too far away from the stage to observe the show in action watching it from television sets located in various spots throughout the ballroom.

Following the show the guests really had "Dinner with the President" consisting of heart of celery, green and ripe olives, sardine marinated herring with pickle, hard boiled eggs, anchovy and rolled salmon served on lettuce and tomato at the first course. The second course consisted of thick vegetable noodle soup, carrot sticks, and rose radishes. The main course was filet mignon on toast with mushroom sauce, chateau masson burgandy, potato chateau, asparagus tips polonaise, poppy seed rolls and salt sticks. Then came the Rose Marie salad with bengal dressing and sal-tines, and finally the dessert of Coupe St. Jacques (Sherbets with fruit) macaroons and demi tasse.



# Property Owners Attack City Plan

## Group To Protest Gordon Road Warehouse Project

BY LERONE BENNETT, JR.

Negro property owners will protest today plans of the city to construct an industrial warehouse district in the Gordon road area.

Attorney Cassandra E. Maxwell will represent the property owners at a hearing before the Municipal Planning Board. The meeting will get underway at 2 p. m. at City Hall.

The proposed warehouse district will be located in an area where residential lines have been disputed by Negroes and whites.

On October 13, the Southwest Citizens association (white) proposed the rezoning of both sides of Gordon road for light industry as buffer regions between Negro and white residential areas.

### BUFFER PROJECT?

City officials have denied that the project is intended as a buffer. Mayor Hartsfield said the city is requesting commercial zoning for the area which is bounded by Gordon road, Larchwood street, Florida avenue and Willis Mill road.

The mayor said that the Atlantic Coast line railway expects to buy property which it would lease to either the Federal government or private concerns for warehouse use. If the re-zoning application is approved today, City Council will pass on it at its regular meeting February 16.

The rezoning petition reads:

"Petition initiated by City Council to re-zone from R4 (residential) to M-1 (industrial) uses the property fronting 485 feet on the south side of Gordon road, beginning at the southwest corner of Florida avenue and Gordon road. The property extends to depth of approximately 1700 feet along the westerly side of Florida avenue, to Larchwood road. Application has also been made for use permit to build and operate a railroad spud line if rezoning petition is approved."

The spur line would connect with the railroad's main line, which parallels Gordon road, on the north. It would cross Gordon road.

### OPPOSES REZONING

Attorney Maxwell said she will oppose the rezoning application on two grounds:

1. Negro property owners on Larchwood will be forced to move, thereby accentuating the already shortage of decent houses for Negroes.

2. The industrial area will adversely affect the property values of property owners in the section.

Miss Maxwell said she represents several property owners in the section. She named one of the petitioners, A. L. Smith, who owns three houses in the area.

Phillip Hammer, director of the Metropolitan Planning Commission, revealed that his organization and the mayor's office had been working on the project for some time.

He said the plans did not call for a "buffer zone," pointing out that the site was selected in a spot where the least number of residential structures would be affected.

GEORGIA

# Arsonists Burn 3rd Home In Atlanta

ATLANTA, Ga. (ANP)—Unidentified arsonists spread terror for three consecutive days in this city last week, eluding heavy police cordons to burn newly bought homes in a racial border area.

The third fire, apparently ignited by gasoline, was set off in spite of a protective police guard around the entire Cairo st. area, where some six blocks of homes, now occupied by white residents, are being offered for sale to colored buyers.

Police believe that white owners who resent colored tenants moving in are responsible for the acts, but have been unable to uncover leads from tight-lipped residents of the neighborhood.

The second house to burn was a dwelling located at 135 Simmons st., nw. The culprits worked their way through a group of detectives and uniformed officers, and apparently poured gasoline in the kitchen of the unoccupied house.

Det. Supt. L. G. Cowan, who said he ordered the guard posted after an informant tipped off that a second house would be burned, asserted that the arsonists changed their plans and attacked a house a complete block away from the structure that had been scheduled for the third reprisal.

The police head said he wasn't worried about catching the culprits. "We'll get it stopped in a few days," he declared.

Detectives said they found a five-gallon can of gasoline in the third house and a half empty can in the kitchen.

## Terror Grips Gate City

# Hate Groups Burn 2 Atlanta Homes

ATLANTA, Ga.—In spite of a reported tight guard, a second house in the troubled Northwest section tension area was set afire Saturday as local police promised arrests of terrorists.

This most recent outbreak of obvious arson followed the purchase of a home in the Cairo Street area by a Negro real estate firm. This is a new West Side section which is being opened up to Negroes.

Tensions have been exhibited in the area since about the middle of March when Negroes went in to look over some of the houses for purchase.

ANGRY RESIDENTS of the area, which is several blocks away from a so-called racial housing zone line, had demonstrated when the view of prospective buyers took place nearly a month ago. Police had escorted Negroes into the area.

The first house burning took place last week. It had at first been invaded by vandals and fresh paint thrown on the walls.

Although it was reported that residents of the neighborhood talked freely of the incidents, police said they could get no evidence relative to the terrorism.

## Vice Squad Sgt. Says Burning Was 'Deliberate'

BY GEORGE COLEMAN

Police were probing what apparently was a case of arson yesterday in the burning of a vacant house at 572 Cairo St.,

N. W., in an exclusively white section, after it was purchased by a Negro real estate firm.

Vice Squad Det. Sgt. J. L. Moseley said the burning of the house was apparently deliberate and the guilty party or parties were being searched for.

Police said the house was located "right in the middle" of a white neighborhood, where negotiations for purchasing homes for Negroes were started several weeks ago.

A previous report, dated March 16 and entered in police records, revealed that Fred E. Bailey, Jr., a white property owner complained that his newly purchased home at 434 East Ringhill Street, S. W. had been invaded by "crazy" who threw fresh paint all over the walls. Bailey has not moved in and was not harmed.

There was no thought that angry white residents of the Cairo Street area may have been involved until Bailey revealed that he had sold his old home to a Negro firm. The house he had sold was located at 572 Cairo Street, N. W., the house that was burned about 2:15 a. m. Wednesday.

Radio Patrolmen C. B. Dickson and W. J. Hendrix reported that the back porch of the house was burned off in the fire. The remainder of the structure suffered heavy damage, they said. The cause of the fire was not immediately determined.

Police said a crowd of people were on the scene when they arrived, but no one knew how the fire had started in the vacant house.

The house is located between North Avenue and Poland Street, not many blocks from an unwritten racial boundary line at Simpson Street, N. W.

The home of AME Bishop Sherman L. Greene, located in a disputed area in the Gordon Road district, was burned last year. No arrest or indictments have been made so far.

Signs, declaring that homes in the community were not for sale to Negroes were put up the following day. Sgt. Moseley said that Bailey was the first white resident to sell his home.

Police said that several disturbances have occurred in the area since real estate negotiations were begun a few weeks ago. A police escort was reportedly offered to Negro visitors March 15 while white residents shouted insults at them.

Sgt. Moseley said the area was a small one consisting of less than 20 houses in a scattered area of five or six blocks. Many of the families had been living there for 25 to 30 years.



# Arsonists Burn 3 Atlanta Homes

ATLANTA, Ga. — A band of white arsonists, who slipped by heavy police guard for three consecutive days last week, spread terror here by setting fire to three newly bought homes in a racial border area of Cairo street.

Police said the houses are located in the middle of a white neighborhood where negotiations for purchasing homes for Negroes were started about a month ago. Only three houses have been vacated since their sale to Negro realtors, and these are the three which have been burned, one of them twice.

Detective Superintendent L. G. Cowan, who ordered the guards posted after an informant tipped off that a house would be burned, suspects that the fires were set by outraged white owners who resent Negroes moving in the Cairo st. area.

The latest burning occurred Saturday morning at 645 Simmons st., N. W., where investigating officers discovered a partially filled container of gasoline.

Similar evidence was found at the scene of the second fire which started shortly after midnight Friday at 135 Simmons st., N. W., and in the burned ruins of the house at 572 Cairo st., N. W., burned the morning before. The latter house was also the scene of a fire on April 1.

## In Atlanta

# 2 More Homes Blasted

ATLANTA, Ga. — Two more houses had been dynamited and fired in the disputed Cairo-Simmons West Side area last week as police redoubled their guard in the area.

A dynamite explosion took place Sunday night, April 28, at 572 Cairo Street, which is in the area slowly changing from white to Negro occupancy. The house had been fired April 1.

# Young Businessman Reports Beating Near State Market

BY GEORGE COLEMAN

George Prather, Jr., 27-year-old Atlanta businessman and World War II veteran recounted last night from his bedside at the Hughes Spalding Pavilion a Sunday morning of horror when he said unidentified white men beat him at the Farmers Market in the presence of his school-teacher mother.

Mr. Prather is the son of Attorney George Prather and Mrs. Ida Prather, and resides at 146 Griffin St., S. W. He is president of the Standard Chemical company and vice president of the Atlanta Business League. He served as a lieutenant in the Army Air Force in World War II.

Prather's face was a mass of bandages through which his swollen eyes peered out past a broken nose and bruised facial features. His broken right hand was in a plaster cast and a portion of his head had been shaved around an injury spot.

## WHOLE STORY

"I'll tell you the whole story," he said, while his father, Attorney George Prather, Sr., stood by wringing his hands and then he related a story which he said began with a mission to buy groceries and climaxed with him being arrested for resisting arrest and taken to Grady hospital for treatment of injuries sustained.

It was about 10:30 a. m. Sunday. Prather said, when he drove into the state market located just across the street from the Gordon Potato Chip factory at Lee St., and Murphy Ave.

## TRAFFIC JAM

He was taking his mother, Mrs. Ida Prather, principal of the College Park Elementary School, to get groceries, he said. After making their purchases they started out of the market and were caught in a traffic jam, during which time a white motorist made an insulting remark and was answered in like fashion, Prather related.

A few minutes later, Prather said he was blocked by three white men in an auto who announced they were going to teach him "how to talk to white men."

They drew pistols, Prather said, and he inquired if they were officers of the law, to which they replied, "None of your d—m business."

## CAR DOOR

Prather said the men attempted to open the car door, and threatened to shoot into the car if he didn't come out. The young veteran said he feared for his mother's safety and climbed out of the auto and was pounced upon immediately by two of the men while a third held a pistol on him.

Prather said they later charged him with resisting arrest but the only resisting I was doing was for self protection.

The injured man said he remembered one of the men hitting him in the nose with his fist. After the beating, Prather said, the men attempted to force him into their car and when he struggled one of them announced: "Shoot him and we'll take him back."

## POLICE CALLED

Prather said they finally got into the auto and headed back to the state market while one of the men drove his mother in Prather's auto. Police were then called, and when a patrol wagon arrived, an old "rusty" butcher knife was found and the men told the patrolmen he tried to cut them, Prather said.

At the station, Prather said, he was booked and finger-printed and later an officer noticed he had been wounded and sent him to Grady where they patched his nose, but failed to look at his injured hand.

Prather said, he was later accorded full medical treatment at the Pavilion after his family called in a physician.

Police records show that Prather, a resident of 146 Griffin St., S. W., was arrested on a charge of disorderly conduct—resisting arrest.



## Bombing Again

Those dwellers on the Westside and adjacent areas who thought we had outlived the bombing age, surely had another thought coming, when on last Sunday night the elements were disturbed by a terrible blast which damaged a house in the Cairo Street area.

While it would seem that this is a brutal way to settle a dispute, nevertheless there are those who still have the low stoop to set fire to a fuse and blow up a residence without regards to the safety of those who might be its occupants. In this last case the bombed house was in the area of *Atlanta, Ga.*

In a civilized era, we charge that this is going a bit too far. A city like ours, boasting of its safety, its protection of its citizens can ill afford to tolerate such barbarism. As long as the life of one citizen is in jeopardy the city authorities cannot claim a just stewardship unless every resource is exhausted in running down the culprits who have been periodically bombing the residences of peaceful citizens many times in recent years.

Surely the next move is up to the city to run down this ugly practice and life for it a standard which would safeguard the lives and properties of innocent home-owning taxpayers. Frankly, believe the police officials are concerned and we hope they will be successful in running down and apprehending those responsible.

## Area Negroes Moved Into Under Patrol

Atlanta police Tuesday patrolled a neighborhood two blocks off Bankhead Avenue, N. W., after white residents protested when two Negro families moved into the area.

Negro families moved into a house at 568 Norfolk St., N. W., with houses of white families living on both sides of them. Another Negro family moved into a house a few doors away at 590 Cairo St., N. W.

Detectives and uniformed patrolmen patrolled the area, police authorities said, to prevent possible incident.

Residents of the neighborhood, protesting that Negroes were "infringing" on property in the area, posted signs on their property saying: "This House Not For Sale to Colored."



## Police Seeking Clues On Morning Bombing Mystery

An explosion ripped into a drug store on Simpson Road, N. W., early yesterday when a stick of dynamite was tossed onto the roof of the Cooper Self Service Drug Co., at 1614 Simpson Rd., about 2 a. m.

The owner of the company, Brady Cooper, Jr., said estimates of the damages were being made for insurance companies by police, but business was stopped by the explosion which he termed, "not very large."

Cooper said he knew of no reason why the dynamite was thrown onto the roof of his store, and added there had not been any hint of unrest or confusion in the area that he knew of.

Radio Patrolmen H. S. Wayne and C. W. Lindsey, who investigated the explosion, said the culprit apparently made no attempt to enter the place; no windows or doors were broken open. However, they found a gaping hole in the roof of the building.

Cooper was called in immediately after the explosion, and told police money had been stolen. No listing of items has been made to further determine if the motive was robbery.



Staff Photo—Ed Wells

### POLICE NAB SUSPECTS WITH HOMEMADE BOMB

Detectives R. H. Kerr (left), J. G. Adams Examine Parts

## 4 Jailed With Bomb In NW Fringe Area

By KEELER McCARTNEY

A 22-year-old automobile hauler and three companions were arrested last night in possession of a powerful home-made bomb in the Cairo street, NW, section where repeated house bombings and fires have occurred, police said.

Capt. W. L. Duncan identified the man charged with possessing the bomb as Martin Fred Burt, 22, of 536 Cairo St., NW. Duncan said the three companions were held temporarily for investigation.

The bomb, which police said was capable of destroying an entire dwelling and probably killing the occupants, was fashioned by taping five sticks of dynamite around a metal bar. He said the bomb was equipped with a det-

onator cap and fuse, needing only a spark to set it off.

### ANSWERING TIP

Four detectives who went to the Cairo street address to investigate a tip that a wanted person could be located there made the arrests. Detectives J. N. Gossett and J. G. Adams, who were standing at the back door, said they observed Burt attempting to hide the bomb when Sgt. U. G. Oakes and Detective R. H. Kerr knocked at the front door. Burt denied knowledge of the

bomb, detectives said.

The arrests climaxed six months of investigation in which a special police guard has been maintained in the Cairo and Simmons street section. Since April 1, records show, two houses have been bombed and a half-dozen others set on fire in the area where Negro families have bought homes in white sections.

### 3 HOUSES DAMAGED

The most recent bombing occurred Oct. 7, damaging three houses at 507, 511 and 517 Cairo St. At that time, officers said, a dynamite bomb was hurled against the window of a Negro home, but failed to break through the window screen.

The heavy metal bar around which the dynamite was taped last night would have given the bomb sufficient weight to have crashed through a window, Duncan pointed out. He said Burt as well as the others would be questioned in connection with each of the bombings and fires.

In addition to the Oct. 7 blasting, a bombing was reported April 5 at 572 Simmons St., NW. Police said fires were set April 1 at 572 Cairo St., again April 2 at the same address, April 3 at 635 Simmons St., April 5 at 645 Simmons St., April 26 at 656 Simmons St., and Aug. 22 at 635 and 645 Simmons St.



## Bomb Terrorists Defeat Own Ends

According to arresting officers, who were looking through the back door of a residence at 536 Cairo St., NW, Atlanta, a man later registered as Murlin Fred Burt tried to hide an object when police knocked at the front door.

The "object," said police, turned out to be a metal bar with five sticks of dynamite taped to it, the sticks being equipped with a detonator cap and fuse.

Burt, whom police said they saw trying to hide the bomb "denied knowledge" of it. *Continued*

The case will go to the grand jury.

First, we commend the officers for this good job of policing. They have tried for a long time to apprehend the persons who have been bombing houses in the general area where Burt was arrested. The last of these was Oct. 7. Prior to that, as far back as April, there have been bombs thrown and fires set at five other addresses in the area of the house where Burt was arrested. *Wed. 10-14-53*

Police say Burt will be questioned about all these.

The truth is there has been a reign of terror in that area. It is a familiar problem. It is a section where for a long time white and colored housing have been coming together. White persons are selling their homes to Negroes. *Allen*

For some fantastic reason, there are those who take out their wrath on the innocent persons who buy houses offered for sale through routine channels of trade.

The problem admittedly is a difficult one. We can understand the distress of those who are upset as their neighbors sell. But certainly not even the most distressed can support terrorizing innocent purchasers.

In this free country property belongs to those who have title to it. There is no possible law to forbid selling it. No mayor, city government, county, state or national can say to a house owner that he or she may not sell. Terror, of course, induces many

to sell who otherwise would not do so. So, in a very literal sense, the dynamiters, whoever they may be found to be, are themselves hastening the flight of present property owners from that area.

Under the law there is only one possible solution—an agreement between owners not to sell if neighbors object. When there is no such agreement a sale may not legally be prevented. Let all areas so troubled seek to make peaceful agreements. No other kind is possible.

And let us all note that whatever our opinions, we cannot in any degree tolerate anarchy or violence of the type brought about by bombs like the one police say Burt was seeking to hide, and about which he says he has "no knowledge."

All agencies of law and public opinion may stand solidly behind this fact.

GEORGIA

# INDICT ONE CAIRO ST. YOUTH FOR POSSESSION OF DYNAMITE

## 2 Others Freed On Evidence Lack

A 22-year-old white youth, who was caught more than a week ago in the late evening shadows of the disputed Cairo Street area with a homemade bomb, was indicted yesterday by the Fulton Grand Jury and charged with the felonious crime of unlawful possession of dynamite.

Murlin Fred Burt, 22, who police said had lived in Fulton County for 90 days, was indicted Tuesday, records show. He later posted bond of \$10,000 which was set immediately following the Grand Jury hearing.

Burt was arrested October 12 that a second bombing in less than a week is to be perpetuated.

On October 7, three Cairo St. houses suffered minor damages when a bomb apparently missed the window of a Negro residence and bounced back against the house next door, occupied by a white tenant who had a "not for sale to Negroes" sign in his yard. Windows were blown out of all three houses.

The indictment charged that Burt "did unlawfully have, own, possess and control five sticks of dynamite and one detonator cap with three feet of fuse, without first having registered his name with the Ordinary of Fulton County."

The indictment added that persons possessing high explosives must register their name and residence in the "Explosive Register"; the date, amount on hand, for whom it is intended, the purpose and where it is to be kept stored.

It was further charged that Burt "did fail to obtain a license from the Ordinary of Fulton county." Burt's address had been listed

as 536 Cairo Street, but the Grand Jurors charged he had lived in Fulton County for 90 days. Three other white youths, who had been held at material witnesses were released after no proof was offered that they also possessed dynamite, a court official said.

## Catch Men With Five TNT Sticks

B-U-L-L-E-T-I-N-

ATLANTA, Ga. — Charged with possessing dynamite in the troubled Cairo Street area, a white man listed as Fred Burt, 23, was ordered held for the Fulton County grand jury last week.

Burt was arrested by police who went to a Cairo Street address where they found a home-made bomb fashioned by taping five sticks of dynamite around an iron bar. The bomb was complete with detonator cap and fuse, according to police.

Municipal Judge Luke Arnold also ordered three persons arrested with Burt held under \$500 bonds each as material witnesses. They were reportedly in the house with Burt when the bomb was found. *Courier*

ATLANTA, Ga. — City police last week reported the arrest of four white men in connection with the posses-

sion of a powerful home-made bomb in the housing violence-struck Cairo Street, Northwest area.

One of the men, Murlin Fred Burt, 22, an automobile hauler, was charged with disorderly conduct — possessing dynamite, while his three companions were charged with disorderly conduct — material witnesses.

The Cairo Street area, which has been changing from white residential occupancy to Negro, has experienced numerous fires and bombings since early last April.

THE BOMB police seized at the Cairo Street address was made by taping five sticks of dynamite around a metal bar, equipped with a detonator cap and fuse, and powerful enough, to destroy an entire house and kill its occupants.

Arrest of Burt and his companions followed a tip to police detectives, four of whom went to the Cairo Street address.

Two of the officers stood at the back door while the others covered the front door.

THE OFFICERS at the back door report they saw Burt attempting to hide the bomb when the police knocked at the front door. But the suspect denied knowing anything about the seized bomb.

Just one week previously — on Oct. 7 — three houses on Cairo Street had been damaged by a dynamite bomb hurled against the window of a Negro-occupied home.

The dynamite bomb failed to break through the window screen and caused more damage



at two nearby houses occupied by whites. The bomb discovered last week, with the heavy metal bar, would have been able to crash through the window.

## Commission Sets 1954 For Mozley Park "Turnover"

Atlanta's Negro citizens will be given use of Mozley Park, which lies in what has now become a predominately colored populated area, early in 1954. At the same time, planning will get under way for the construction of a swimming pool for white citizens in John A. White Park to replace the one at Mozley. *380*

*Fr. 12-18-53*  
Announcement that the Mozley Site was to be utilized by colored citizens next year was made Tuesday by the City Parks Committee. Being advised of the change were members of the Southwest Citizens Association, who indicated that they no longer object to the transfer of the park to Negroes. The group, however, is anxious that swimming

accommodations be provided them by next summer.

Mozley Park, complete with swimming pool, wading pool, picnicking area, etc., is on Mozley Drive in the West Hunter section of the city.



# DYNAMITING AREA; THREE

## No One Hurt In Late Wednesday Night Blast

Unidentified terrorists struck again late Wednesday night in the disputed Cairo Street area after a reported rest of more than a month from arson and shootings; and this time narrowly missed inflicting serious injury or death when dynamite explosions ripped through three occupied dwellings in sight of a uniformed policeman.

Houses at 507, 511 and 517 Cairo Street, N. W. suffered damage from the explosion which shook the neighborhood about 10:43 p. m. The house at 507 Cairo Street had two windows blown out. It was occupied by T. R. Johnson, 27, and his family.

### SIGNALS CROSSED?

A further report of the damage suffered left wonder if a plan of those opposing Negroes moving into the area had backfired. Most noticeable was the house at 511 Cairo Street, which was occupied by R. S. Edison, 36-year-old white man. This house, which suffered the heaviest damage with four windows blown out, reportedly has a "Not for sale to colored" sign in the yard.

The house at 517 Cairo Street, which had two windows blown out, is also occupied by a white family.

Unconfirmed reports further indicated that a horse shoe party was held in a nearby house, occupied by a white family just a few nights before the bombing. However, it has not been officially established that the plan to set off the dynamite was molded at this alleged meeting.

### DYNAMITE FOUND

Radio Patrolmen H. K. Mueller and R. B. Bibb said they found three unexploded sticks of dynamite in the yard of 507 Cairo St.

No injuries were reported. One officer reported he was in the vicinity when the explosion went off. Ptl. C. W. Mauldin reported he was standing at the corner of Cairo and Pelham when a black buick, occupied by two

people; one clearly identified as a white man, drove into Cairo St., turned around in the center of the block "as though he was letting somebody out."

The officer further reported the auto then went across North Avenue for a distance of about five houses and "turned to the left as though he was parking his car."

Mauldin said the dynamite went off about five or ten minutes later. He reported getting the last two digits of the license tag.

### START OF TROUBLE

Trouble erupted in the area nearly seven months ago after a house in the previously white neighborhood was sold to a Negro family. Most of the cases were confined to deliberate arson which failed to bring about major damage. Each house attacked, had been empty when the torch was lighted.

There were a few reports that white families, who sold to Negroes and moved away, suffered attacks in their new homes. Then police offered nightly protection, and although no arrests were made, the strife apparently died out.

But now at least thirteen Negro families have moved into the area, and few empty houses are left. Police expressed alarm that it was possible that serious trouble could develop if the bombings continue.

## Bombing Again

It is absolutely no credit to a community of any type to have its citizens in daily peril of being bombed from their homes. "A man should be as safe in his home as a prince in his palace," said James Otis, one of the early "morning stars of liberty" in this country.

The late United States Senator Pattengill, of Maine, in lamenting the activities of the old Ku Klux Klan, once said of it, "A man who cannot lie down at night with any assurance that he will rise in the morning, does not enjoy the open franchise of liberty and the principles of American government."

Since that time we have traveled a long way down the road of tolerance and better relations. We have seen service in wars in which citizens regardless of color have participated to the extent of their ability.

We have been victorious in setting up for the world a standard of government which should be the envy of every peace-loving nation on earth. To this end we are pledged and we are at present engaging some of our leading minds in a United Nations Congress to establish in the world the principles of our government and the necessity of equality in treatment of individuals of minority groups.

We cannot exercise our offices unhampered with reports going around the world of citizens being bombed from homes for which they are paying taxes for the general upkeep and the protection of their vested rights.

No community can make an open and all-out contribution to our outreach for other nations to join in our pattern and system in preserving the peace, when the daily press and radios chalk up such wanton lawlessness being perpetrated upon the finest type of loyalty ever known to civilization.

We are again and again lifting our hand in defense of honest tax-paying citizens who, in their peril insist in our form and pattern of government.

To this end we are sounding the alarm to those in constituted authority, in behalf of a people dealt with periodically outside the law. The recent bombing of Negro homes in Cairo Street is an outrage.

Bombing must cease. We hate bombs and the practice of their use on citizens during a time of peace. We are today spending millions for defense and bending our efforts for the establishment of a universal peace.

It is certain that the law abiding people will rise up as one and show their hands against such a lawless penalty on the trusted type of loyalty that has made America great and a mighty contending force in the corner of "liberty and justice for all."

## Suit Labels Constitution Home Project Racial Buffer

Hearing on a suit by seven West End property owners seeking to enjoin the Atlanta Housing Authority from building a 510-unit housing project in West End will go into its third day before Fulton Superior Court Judge Ralph H. Rhur here today.

Bunder Thomas B. West, who owns a vacant lot on the south side of Baldwin street, SW, between Lawton street and Baldwin place, and six West End residents charge the housing authority with "arbitrary, capricious, and illegal abuse of the Housing Authorities Law."

Attorneys for the plaintiffs declare the proposed housing project's "real purpose is to serve as a screen or buffer between white and Negro sections in that area."

Arguments against the project heard in court here included a contention that the area involved is not a slum area and that no housing shortage exists.





**ARMED 'WELCOME'** — Two police officers stand guard outside the Trumbull Homes housing project in Chicago's South Side as one of three Negro families move their belongings into the building. The project was the recent scene of rioting when a gang of stone-throwing white women battled 800 policemen for 15 minutes in an attempt to scare off the new tenants. The project had been all white until a Negro street car motorman moved in recently. (Newspress Photo.)

### Women Turn on Race Hate

## New Mob Action Shames Chicago

CHICAGO—Windy City residents had to hang their heads in shame again last week at the spectacle of bigoted white women tossing rocks, tomatoes and racial epithets at three families of Negro veterans of World War II who were forced to move into the Trumbull Park Homes Housing Project under the protection of uniformed policemen.

In the wake of the racial disturbance spearheaded, as in the case of the Cicero and Detroit riots, by Polish-Catholic elements, four women were arrested and charged with unlawful assembly and disorderly conduct.

Evelyn Lalich, 59, Mrs. Katherine Jakobich, 50, Mrs. Rose Vlajnich, 60, and Mrs. Anna Spetanich, 54, all residents of the Trumbull area which has long been a sore spot in Chicago.

The disturbance was touched off following the Chicago Housing Authority's decision to move Negro families into the

tax-built project.

More than 1,200 policemen were called out to police the area on split shifts on a round-the-clock basis. The huge detail represented one-sixth of Chicago's police force.

In the wake of the shameful spectacle, Alderman Kenneth E. Campbell last week introduced a resolution in city council calling for the creation of a committee to discuss methods of preventing further disturbances.



**'Shame' Photo**—Real Americans . . . whatever their race . . . their color . . . their faith . . . should hang their heads in shame when they look at this "hate" picture! It was taken last week in "enlightened" Chicago . . . as police escorted three families of Negro World War II veterans into that city's South

Trumbull Park Homes, public housing project. The women in the picture . . . whose names suggest foreign ancestry . . . engaged in a violent demonstration. Note brick in hand of "lady" at right as she voices her opinion about rights of other Americans. Note expressions on faces. Hate is a terrifying, demoralizing, degrading emotion.—INS Photo.



SEE: CODE-43a (Illinois)



**INJURED BY RIOTERS** while driving on Chicago's far Southside were, left to right, Mrs. Maslean Lacour of Natchitoches, La.; Mrs. Ivory Kay of Chicago and Mrs. Roberta LeRoy of Natchitoches.

**Hoodlums protesting Negro occupancy of Chicago Housing Authority project hurled bricks at their car.**  
(Defender Photo.)

## CHA Tenants In Mob Face Loss Of Home

A spokesman for the Chicago Housing Authority which operates Trumbull Park homes for the federal government said Thursday that CHA tenants taking part in the Trumbull park hate riot can and probably will be evicted.

He cited a clause in the lease which says:

"Any tenant who shall singly, jointly, or in combination with any other person, engage in any demonstration or any overt act, which is aimed at or has the effect of denying to any tenant the right of quiet enjoyment of his premises on the development; or coercing a prospective tenant in order to prevent him from leasing any premises on the development; or coercing or intimidating

a tenant dwelling in the development in order to encourage said tenant to leave the premises, shall be subject to immediate termination of this lease at the election of the landlord and the tenant hereby agrees to surrender possession within 15 days after receipt of demand by the landlord for possession. The CHA spokesman said his office is probing lists of persons arrested to determine those who reside in Trumbull Park homes.

He said conviction would not be a requisite for eviction.

A partial list of persons arrested follows:

John Prskalo, 25, 10050 Green Bay; Pvt. John C. Hirsch, 20, of 9807 Exchange, on furlough from Camp Roberts, Calif.; Joseph Durdow, 18, of 10735 Green Bay; Thomas F. George, 18, of 2419 E. 107th st.; Carl Wartak, 22, of 10500 Avenue N; Jesse DeGado, 31, of 10754 Hoxie; Jack Radovich, 29, of 10800 Torrence; Robert Krause, 17, of

10057 Avenue N; Phillip Ljubich, 19, of 3024 E. 98th st.; Ashley Rackner, 45, of 8351 Burley.

John Bender, 36, of 108th st. and Lake Calumet; Joseph Kumysz, 26, of 10514 Bensley, a laborer; Joseph Ferek, 33, of 10611 Yates, a laborer; Fred Smallhorn, Jr., 38, of 10524 Oglesby, a Checker Cab driver; Gerald George, 18, of 2419 E. 107th st.

John Winters, 21, of 8603 Moody, Oak Lawn, a laborer; James Winters, 19, of 8403 Marshfield, Oak Lawn, his brother, unemployed; Alex Villafuerte, 18, of 10632 Yates unemployed; Raymond Beniac, 17, of 10647 Hoxie, a stock boy; Mario DeGiacomo, 19, of 2548 East 106th st., a laborer. (An Emil DeGiacomo, 31, who gave same address, was fined \$10 Monday after his arrest at the scene.

David Steward, 20, of 8732 Houston, a laborer; James Lebedeck, 17, of 9625 Hoxie, a laborer; Peter Milosevich, 19, of 9008 Burley, a laborer.



# 750 Policemen Guard Negro Family In Chicago Project

CHICAGO — (ANP) — A cordon of 750 police officers are for the second straight week continuing to guard the home of Donald Howard and his family who moved into the all-white Trumbull Park public housing project at 10630 Bensley Ave. *385*

In latest developments, six more white teen-agers were arrested Sunday for threatening Howard; a Chicago Housing Authority official has defended segregation in some of the projects, and Ald. Archibald J. Carey was the central figure in a debate in the city council in connection with the violence.

The six teen-agers were arrested after threatening to attack Howard as he was accompanied by a colored policeman, Homer Slaughter, when he stepped out to get some beer. Slaughter was acting as a sort of bodyguard.

Five of the teens were juveniles. The sixth was Michael Kalafut, 18, who does not even live in the community. He was charged with inciting to riot and disorderly conduct.

Wilfred Sykes, chairman of the CHA board, defended the idea of operating all-Negro and all-white housing projects. Of the Howard family's moving into Trumbull Park, he said:

*moved*  
"It was accidental, I believe, but still a mistake to bring the Howard family into this project. A move like this should have been preceded by an educational campaign."

"I've got no objection to putting colored in white projects, but it should be done by bringing in good, decent citizens who act as ambassadors for their race."

*Atlanta*  
He probably was referring to the fact that the Howards could easily pass for white if they so chose. The Howards are also under suspicion because Sykes believes that both Mr. and Mrs. Howard worked and earned more than the maximum permitted by the CHA.

*Wed. 8-26-53*  
Ald. Carey, who is the recently appointel first alternate delegate to the United Nations General Assembly, started a debate when he introduced a resolution in the city council calling for the body to reaffirm a policy of non-segregation in public housing projects.

The big question was whether or not the CHA was deceived when the white-looking Mrs. Howard applied for an apartment. Carey pointed out that she had to submit her husband's army discharge which clearly showed that he was a Negro.

White Alderman Pacini in whose ward the Trumbull Homes is located charged that the situation was prearranged. The Carey resolution was turned over to the city council's housing committee. The Howard family were targets on July 30 of white mob violence when the news spread that it was Negro.





RICHARD S. JACKSON examines some of damage caused by flying bricks aimed at the windows of the house he recently bought in a white neighborhood. Note glass in lower left corner of picture.

## 'We're Not Going Anywhere' Jacksons Tell Reporters

St. Louis, Mo. — Illinois State Police have been ordered to patrol the area around the 400 block of north 35th street in East St. Louis to protect the family of Richard S. Jackson against threats made by white residents protesting the presence of the Negro family. Phil M. Brown, chief of Illinois State Police, told the Argus by phone Wednesday he issued the order Tuesday morning after having been informed of the situation by Sheriff Ed Leh-

June 10-22 — General intimidation and property damage.  
June 23 — Windows broken, lights short-circuited.  
June 25 — Water hose incident — man hiding with gun.  
June 27 — general intimidation.  
June 30 — Mob gathered.

man of St. Clair county. Since June 6 when Jackson moved into the house at 428 N. 35th street, which he bought in May, white neighbors have intimidated and even threatened the lives of Jackson, his wife and a boarder, Louis Balfour.

Windows have been smashed, electric light wires shorted, shots fired, mobs gathered hurling insults and threats and for several evenings when the Jacksons returned home from work they found neighbors sitting on their porches cleaning rifles.

The statement of State Police Chief Brown was the first indication since June 6 that the au-



LOUIS BALFOUR

RICHARD JACKSON

ANN JACKSON

thorities planned to protect the harrassed family. Prior at-  
"We're not going anywhere!" Those were the words of Richard S. Jackson, 428 N. 35th St., East St. Louis, Ill., who with his family has had to stand the threats and attacks of angry whites who 'don't' want him in the neighborhood.

When Argus reporters arrived at the Jackson residence Tuesday night several white persons were milling around the street. The Jackson house was dark.

The weary husband answered the door and explained that they had been in the basement, however, Mrs. Jackson informed reporters they sleep on the first floor of the six room bungalow. Mrs. Jackson said she spends the day with her mother. The family usually gets home about eight o'clock each evening.

Jackson is a native of Memphis, Tenn. He has been in East St. Louis for six years, coming from Chicago.

He operates a business at 1323 S. 16th St., dealing with lumber, brick and coal.

A 15 year old son is in Memphis with relatives.

Louis Balfour, boarding with the Jacksons, has been a friend for some time. He said he moved into the house on 35th Street about two weeks ago. He helps Jackson in his business.

Jackson said they have been given the run-around by police authorities despite the fact they have been annoyed and threatened each night since moving into the house.

All three showed signs of having lived under a strain, but it was equally obvious they were determined to stay put.

tempts by Jackson to get the East St. Louis Police to act failed because they declared it was out of their jurisdiction.

County police under Sheriff Lehman would not act because Lehman said his staff was too small.

In a statement to the National Association for the Advancement

of Colored People, meeting in St. Louis last week, Jackson said, "Sheriff Lehman's deputies arrested the three colored residents charging Jackson and Balfour with carrying deadly weapons.

The statement read in part: "On Thursday, June 25 about 10 p.m., Everett Leffinghouse connected his water hose, turned it on, gave it to his boy. The boy turned the hose in our yard wetting me completely and the shoulders and head of my wife and Balfour."

The statement continued, "Balfour asked Leffinghouse to take the hose from the boy because he was wetting him. He said: 'If you are getting wet you ought to move.'"

"Balfour said: 'This is enough. You have broken our windows, shorted out the lights, molested us and if you don't move that hose, I'll move it.'"

Jackson said Leffinghouse then moved the hose and Balfour happened to glance down the alley and saw another man in back of

of East St. Brown assured the Argus that he had been trying if it appeared of urgent necessity, more State police would be sent. He finally got sent.

Atty. Billy Jones, of East St. Louis, said he had been trying for several days to get Sheriff Lehman to act. He finally got sent. State Police Chief Brown said Lehman had given his office the impression that there was no need for a constant watch on the house because the situation wasn't that serious.

State Police Chief Brown said Lehman had given his office the impression that there was no need for a constant watch on the house because the situation wasn't that serious.



# New Chicago Hate Bombing

## Oil 'Bomb' Used In 2nd Attack In Same Block

A heroic policeman, John Cerkaskas, 30, prevented serious consequences from the second racist attack in five days on the building at 5803 Aberdeen st., which has been sold to a Negro.

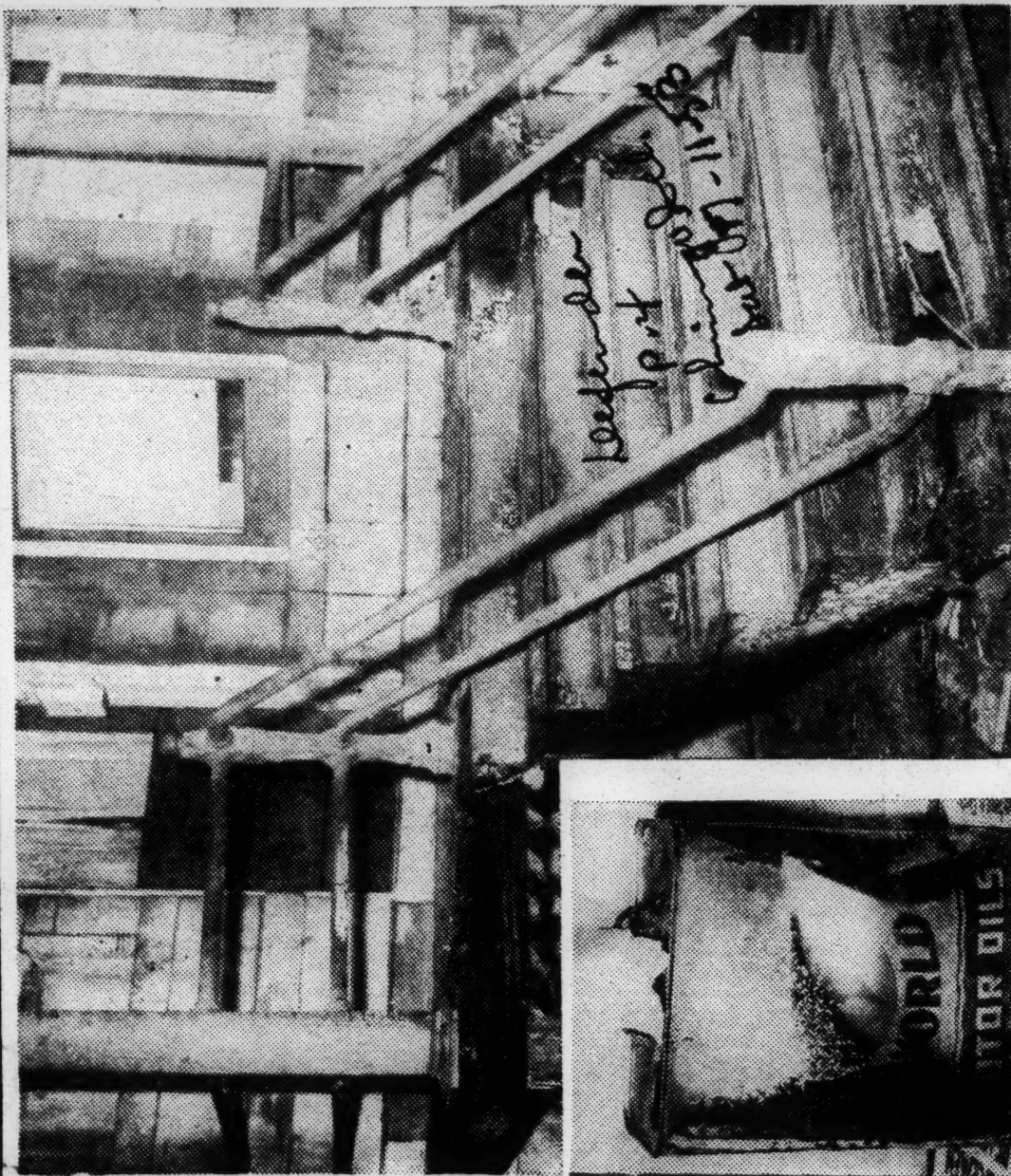
Cerkaskas was stationed across the street from the property after a bomb shattered the front porch early Saturday.

About 10 p.m., Monday, he saw a man dart out of an areaway with a flaming can of gasoline and hurl it onto the porch and flames. He called the fire department and the Commission on Human Relations. The officer ran across the street, knocked the can to the ground, turning himself on the right hand and wrist, and then chased the vandal. The man escaped.

Raymond Harper, 34, the former owner, who still occupies the second apartment with his wife and children, six and three, said he smelled smoke and looked out the window to see the porch in flames. He called the fire department and the Commission on Human Relations. Doctor M. Bynes, 30, a pipefitter and new owner said he bought the building from Harper two weeks ago. He has not moved in yet. He has a Negro tenant in a building at the rear of the lot. The family of Henry Beadie, 32,

moved in Tuesday afternoon. Beadie has three children, five, four, and eight months.

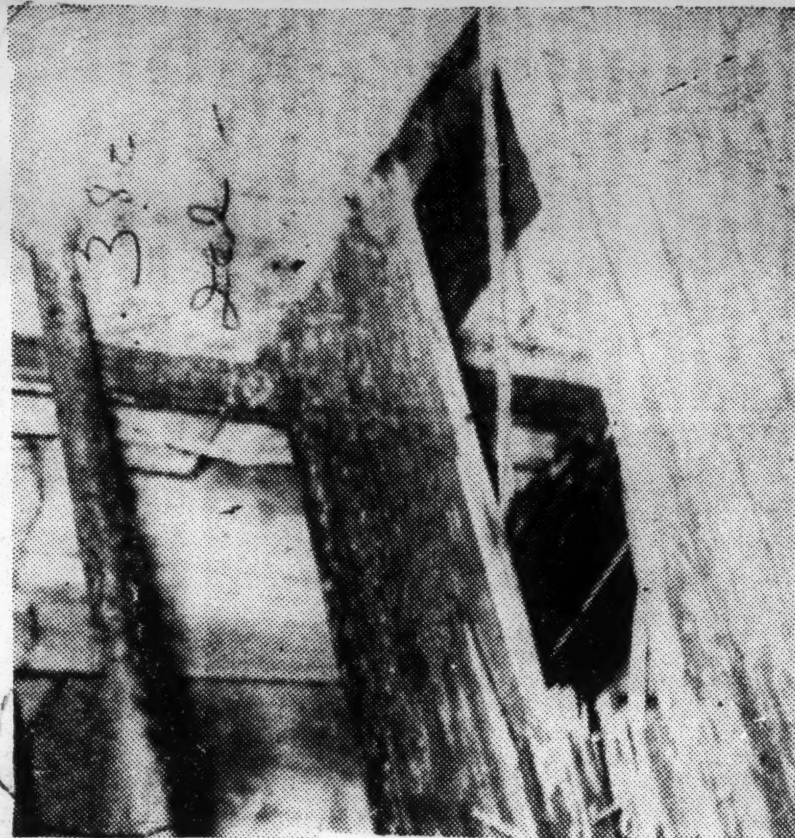
Harper said he had received telephone threats, which he reported to police. As a result, a two man detail was stationed at the building around the clock. Lt. Patrick J. Condon, who was in charge of the night watch at Englewood Police station, Tuesday, doubled the guard and placed a radio car there after the second attack.



SECOND VANDAL ATTACK came Tuesday night as lone man hurled flaming can of gasoline on porch. Policeman John Cerkaskas, 30, who was stationed across street knocked can from porch, burning himself severely on right hand and wrist. He then chased vandal, but lost him after two blocks on dark Chicago streets.



GASOLINE CAN used in attack was recovered by Policeman Cerkaskas and turned over to his commander, Lt. Patrick J. Condon, who said it would be tested for fingerprints. Condon increased detail after attack.



RACIST'S BOMB splinters porch at 5803 Aberdeen at 3 a.m., Friday, in apparent protest over selling of property to Negro, Doctor M. Bynes by Raymond Harper.



# Illinois Voters Oppose Second Attempt To Bar Negro Family

WESTERN SPRINGS, Ill. — (ANP) — The Park District here recently lost another attempt to keep colored persons from living in this all-white suburb of Chicago.

In a referendum held in the village, white residence refused to support an issue which would have allowed the district to float a bond issue for additional areas for parks.

The Park District earlier in the year had tried to keep Dr. Arthur G. Falls and his family from building a house on a site purchased in Western Springs. The district maintained that it wanted the land for an additional park.

The calling of the referendum was seen by many persons as an attempt to circumvent a decision by Judge Berkowitz in Circuit court which upheld the right of the Falls to live in the village. Judge Berkowitz ruled that the move by the Park District to acquire the Falls' land was motivated by a desire to keep Negroes out of the village. If the recent referendum had passed, the Falls could be ousted on grounds their land was needed for a park.

The Park District called the referendum to ask authority to float two bond issues, totaling \$187,000. The people were asked to approve the bonds, sell of which would raise money for three issues. They were:

1. More funds for present parks.
2. Develop and improvement of present parks.
3. Add additional parks.

It was the latter issue which was considered as designed to keep the Falls and other Negroes from living in the village. Some \$116,000 was to go for this.

In calling for the referendum, the Park District, however, failed to consider a group of white residence in the village. Some three days before the referendum was to be held, this group sent a "Dear Neighbor" letter to most of the 3,400 voters of Western Springs asking them to oppose the issue asking for authorization to purchase additional parks.

## 141 FAVORS ISSUE

Some 1,989 voters participated in the referendum and supported the first two issues, but refused to grant approval for the Park Dis-

trict to purchase additional parks. Only 141 persons cast ballots favoring the latter issue.

The calling of the referendum was considered unusual for an issue of this sort, especially in view of the court decision in the Fall case. Failure of the issue calling for additional parks was attributed to the letter sent out by the group opposing the referendum. The letter said in part:

"We wish to call your attention to the referendum to be voted on July 10. This referendum asks people here to approve two bond issues totaling \$187,000.

"One bond issue for \$116,000 is for purpose of additional land for park purposes. Condemnation suit by the Park District to acquire some property for proposed park was dismissed by Judge Berkowitz in Circuit court, June 9. This decision occurred in the Falls case).

## OTHER PROPERTIES

"Even if this court's decision was to be reversed, how much sense does it make to spend \$116,000 for an area when the person or persons thereby displaced can at their discretion buy other properties in the village?

"Do we intend systematically to add properties to the park system whenever persons considered undesirable by some people attempt to establish residence here?

"We, the undersigned citizens, strongly oppose the action of the Park District. We urge you to join us in that opposition at the polls on July 10 by voting no on this referendum."

Among those noted persons who signed the letter were:

George Mitchell, former director of finance for Illinois; Virgil Martin, who as a member of the personnel department at Carson, Pirie, Scott helped integrate Negroes into white collar jobs, and the Rev. Cleon Bigler, Episcopalian minister in the village.

Meanwhile, Dr. Falls, a member of the staff of Provident hospital, has gone ahead with plans to live in Western Springs. Work on his house here is nearing completion, according to reports. It is expected to be ready for occupancy by late summer or early fall.

## Rabbi Aids Negro; Mob Stones Home

CHICAGO (ANP)—Race tensions have flared anew in the Windy City as three acts of violence were recorded here last week.

The home of Rabbi Elliott Einhorn was stoned and damaged Friday after the rabbi had promised to "stand by" a Negro who attempted to move into a white neighborhood housing project.

After the flareups, Ralph Mabrey, who planned to move into a home he had purchased in Marionette Manor, related that he would abandon his plans at present and wait until the Marionette Manor Improvement Association found him a home in another location. The group, which bought up Mabrey's contract, also agreed to pay his rent for three months where he now lives.

In another series of outbreaks, police had to disperse a mob at Sixty-fifth and Racine Streets when a Negro resident and her daughter attempted to use a swimming pool in that area; and a stone-tossing mob at Sixty-seventh and Racine injured at least one after attempting to scare a Negro family out of the neighborhood.

A police guard on the scene has discouraged further attacks.

## 100 Racists City Police

## Halt Mob Of

CHICAGO, ILL.—The city police department's

emergency "plan four" was put into action shortly after midnight, Saturday, to halt a mob of 100 racists from wrecking two buildings at 6730 Racine ave.

Deputy commissioner Philip H. Breitske ordered out 20 squads of officers and blocked off the streets for four blocks around after dispersing the crowd which ripped off the stairs of the two buildings on the spot.

The places, one on the front and the other on the rear were purchased recently by Mrs. Daisy Gingery from the family of Henry Anderson. Mrs. Gingery began moving in the front building Friday night.

She had been advised by the Commission on Human Relations not to move in on a weekend or in the evening. The commission was not advised of her plans.

After the mob was dispersed, Deputy Commissioner John Walsh reduced the detail to 20 men. Negro and white officers were assigned to keep order. There were no arrests.

A false fire alarm after midnight Monday, brought additional men to the scene, and on Monday night the detail was increased to 36 men.

Negroes have been living within a block of the site for up to 45 years without incident.

Another demonstration in the Marinette park area Friday night brought police to the scene. Ralph Mabrey, who purchased a home there cancelled his plans to move in following the incident.

## New Chicago housing riots burst forth

CHICAGO — Twice within a two-day period, squads of police here have been called upon to rout mobs of more than 1,000 hoodlums attempting to intimidate the family of a colored mail carrier for moving into South Side housing project, which recently dropped its "white only" admission policy.

It took some 300 policemen, early Tuesday to disperse the jeering assembly, which showered bricks and bottles among the

officers and at the occupants of automobiles driven by colored people in the vicinity of the scene.

Five persons were injured, none seriously, and 12 were arrested as roving bands of white teen-agers smashed windows of a neighborhood tavern which served colored patrons.

## Roped Off Area

Donald Howard, the mail carrier, and his family were the first targets of the mob, the third to have broken out in or near Chicago in recent years, in attempts to keep colored people limited to living ghettos.

He encountered trouble Monday night when he moved into the Chicago Housing Authority's Trumbull Park homes project. Police roped off a three-block area around the Howard home and permitted only residents of the units to enter.

## Formerly White Only

The project was built in 1938 and was one of the four designated for "while" residents only.

A CHA spokesman said that Howard's application had been on file for several years and was in line with the authority's approved non-discriminatory policy.

The other two housing riots which have upset the metropolitan area of Chicago within recent years were occasioned by a mob's burning and looting the home of veteran Harvey Clark in Cicero, and the bombing of Dr. Percy Julian's new home in Lake Park, Ill., both Chicago suburbs.

## Mob Stones Rabbi Who Aided Negro

CHICAGO — (ANP) — Race tensions have flared anew in the Windy City as three acts of violence were recorded here last week.

The home of Rabbi Elliott Einhorn was stoned and damaged Friday after the Rabbi had promised to "stand by" a Negro who attempted to move into a white neighborhood housing project.

After the flare-up, Ralph Mabrey, who planned to move into a home he had purchased in Marionette Manor, related that he would abandon his plans at present and wait

until the Marionette Manor Improvement Association found him a home in another location. The area, and a stone-tossing mob at 67th and Racine injured at least one group, which bought up Mabrey's contract, also agreed to pay his rent for three months where he now lives.

In another series of outbreaks, police had to disperse a mob at 65th and Racine where a Negro

A police guard on the scene has discouraged further attacks.



# Negro Family Moves Into Chicago Housing Project Bringing Out Roving Bands Of Race Baiting Hoodlums

## Five Persons Wounded As Police Disperse Crowds At Scene

Chicago, Ill., Aug. 12 (DSN)—created in 1938, and was one of four which up to now had no Negro occupants. The fear of race rioting was rampant here this week as the moving of a Negro family into a southside Housing Project brought out roving bands of White hoodlums attacking Negroes and stoning the automobiles of Negro motorists as they approach the vicinity of the housing project. The project is the Chicago Housing Authority's Trumbull Park Homes located on the Southside.

Early Tuesday morning, followed by mounting tension which appeared to be spreading to other sections of the city some 300 policemen drove an estimated crowd of 1000 Whites from the project. In breaking up the jeering mob policemen were occasionally showered with bricks and bottles which they said were thrown by the teenagers who made up a large part of the crowd. Five persons were reported injured. The hoodlum bands stoned cars of Negroes who drove near the scene.

A number of persons were reported arrested by police after the windows of a tavern in the neighborhood had been knocked out. The Tavern was attacked because of serving Negroes.

The object of the mobs attack on the project was the apartment of Donald Howard, a letter carrier, and the first Negro family to move into the project. The windows in the Howard apartment had already been broken out last week. Police Tuesday followed the dispersal of the mob by placing a cordon around the three blocks occupied by the project permitting only the residents of the project to enter.

The Tuesday disturbance was the second which had taken place at the project within twenty-four hours. Police had broken up a crowd of 1000 Whites early Monday who gathered in front of the office of the project manager to protest the admittance of the Howard family.

The Trumbull Park Homes project was built shortly after the Chicago Housing Authority was

## Admission of Negroes to Chicago Housing Unit Causes Disturbance Dixie Not Guilty Of This Race Trouble

CHICAGO, Aug. 11 (AP)—A force of 750 police today was assigned to patrol the area around a public housing project on the southeast side.

Police early today dispersed an estimated 1,000 persons who had gathered to protest against the admission of a Negro family to the Trumbull Park Homes. It was the second time in two days that police broke up gatherings there.

Five persons were injured slightly last night by stones hurled into the automobiles of Negroes who drove near the scene.

Twelve men and youths—eight of them teen-agers—were arrested on charges of disorderly conduct. Rocks were tossed at the Negro-occupied apartment and through the windows of a tavern in the neighborhood.

Police Commissioner Timothy J. O'Connor detailed three shifts of 250 policemen each to the area for a 24-hour period. Barricades were set up to keep crowds a half-mile away from the project. Six taverns in the area were ordered to close.

The Public Housing Authority's Chicago field office asked the Federal Bureau of Investigation to investigate. The PHA said the project, built with federal funds, had been damaged. It estimated the damage at \$700.

Donald Howard, a Negro letter carrier, and his family moved into the project last week. They were the first Negro tenants of the 4-year-old project operated by the Chicago Housing Authority.

Illinois National Guardsmen were called out in July 1951, to end a series of riots in suburban Cicero. The disturbances centered around the attempt of a Chicago Negro to move into an apartment there. The building was so badly damaged it could not be occupied.

## Nab Eight Who Attacked Tenant

By L. F. PALMER, JR.

Police and Chicago officials this week were probing four fires near tense Trumbull park homes to determine if the blazes were further protests against the first Negro family to live in the housing project.

The fires broke out during a demonstration by anti-

Some 300 policemen drove an estimated 1,000 persons from a 26-acre housing project which had admitted its first Negro tenant.

In breaking up the jeering assembly, police occasionally were showered with bricks and bottles. The apartment of the Negro was the target of the crowds. Windows in the apartment were smashed.

The police cordoned off a three-block area around the home and permitted only residents to enter. The disturbance was the second in less than 24 hours. The Associated Press.

NO, this did not develop south of the Mason-Dixon Line. The racial disorder broke out in Chicago, Illinois.

We set it down for the record. The South is ashamed of its racial flare-ups. It resents fingerpointing which would make the country believe that it alone is guilty of racial antagonism and violence.

Negro hoodlums. Thursday. The day before the Chicago Housing authority announced that the four all-white CHA projects would be opened to Negroes.

According to Capt. Eugene Brennan of the 14th Battalion, the fires were of a suspicious nature. Three sheds were burned slightly and a tavern suffered \$15,000 damages.

### 2 COPS INJURED

During the latest demonstration against Donald Howard and his family, two policemen were injured and seven persons arrested. Six hundred police are stationed in the area on a 24-hour, three-shift basis.

Police have had a protective ring around Trumbull park homes since the first of the month. Violent mobs protested when it was learned that Negroes were living in the CHA project.

For five days, police were unable to quell the throngs which threatened Howard, his wife and two children. Finally, 750 police and the FBI brought order to the disturbed neighborhood.

Hundreds of police have remained on duty at Trumbull park ever since.

### CHA ORDER

The order opening all CHA projects to Negroes came after intense pressure was brought against the housing commissioners. When the decision was announced, following a secret meeting of the housing board, NAACP

spokesmen declared there was a loophole in the order.

The CHA said integration would begin at a date "when law and order could be maintained." Willoughby Abner, chairman of the board of the Chicago branch, NAACP, said this was "not satisfactory."

Abner said too much judgement is left to the police department and said the CHA must act immediately or the mobs will have won a victory.

He said under the CHA order, as long as the mobs threaten Negroes and keep large numbers of police in one section of the city, the police can plead an inability to maintain law and order in another part of the city when a Negro moves into an all-white project.

The NAACP has filed suit against the CHA asking the courts to guarantee Negroes the right to live in a public housing project. Abner said the CHA announcement will not affect the NAACP suit.

"We shall prosecute vigorously," he said.

## Police Commissioner Can Handle Negro Move-ins

Chicago Police Commissioner Timothy O'Connor told the NAACP last Friday that the Chicago Police Department could and would maintain law and order whenever and wherever Negro families move in the city of Chicago. The question was posed by Willoughby Abner, Chairman of the NAACP executive board.

Mr. Abner quoted the Police Commissioner as saying that without reservations the police could and would handle any possible riotous situations arising from Negro move-ins into any community in Chicago.

When asked specifically about Negroes moving into Trumbull Parks Homes, Lathrop Homes, Lawndale Homes, and Bridgeport Homes, the Commissioner's answer, Abner stated, was emphatically the same.

Abner further declared that the Chicago Housing Authority can no longer claim as an excuse for not moving Negro families into these

four (4) Chicago Housing Authority projects the lack of police protection or fear of maintaining law and order.



# Doctor Wins Housing Fight

## Dr. Falls Will Build In All-White Suburb

plated park was to be placed.

CHICAGO (ANP) — A Circuit judge last week branded peaceful acceptance of the Falls as bigotry and "hate" an at ses in the community. But, attempt by residents of an all-cording to evidence presented in white suburb to have land owned court, shortly after the meeting, by a colored surgeon condemned petitions were circulated to condemn the land for use as park.

In rendering the decision, Evidence showed that some of Judge Jacob Berkowitz upheld the people attending the meeting the right of Dr. Arthur G. Falls, ing were responsible for the circulation of the petitions.

### Denounces Intolerance

In rendering his decision, Judge Berkowitz denounced the intolerance as manifested by whites in the suburb. Among other things, he said:

"If this land were condemned, it would become a monument to hate and intolerance. None would care to have such a monument as a playground for children.

"It would seem from testimony that the people of Western Springs want a period of five, or 50 or 100 years before they engage in the principles of brotherhood. They seem to need to experience the faith of their fathers. They need to try the true Americanism which other communities have enjoyed."

None would care to have such a monument as a playground for children, he added. The court asserted:

"It would seem from testimony that the people of Western Springs want a period of five, or 50 or 100 years before they engage in the principles of brotherhood.

"They seem to need to experience the faith of their fathers. They need to try the true Americanism which other communities have enjoyed."

Dr. Fall, 52, and his wife, Lillian, 50, rejoiced in the decision. "We fought this fight through in the interest of democratic equality," the noted Provident hospital surgeon declared. He said construction work will be speeded up on the two Western Springs homes he is building for his family and his sister's family.

Dr. Arthur G. Falls, prominent chest surgeon, has won a draw-out fight to build a home on property he owns in the all-white Chicago suburb of Western Springs.

A petition filed by the suburb's park district to permit condemnation of the property of Dr. and Mrs. Falls, was dismissed Tuesday in the circuit courtroom of Judge Jacob Berkowitz.

The park district contended it needed the lot at 4812 Fair Elms for a playground. The Falls maintained the park district's move was a means of keeping them out of the all-white village for racial reasons.

In his decision which is being widely hailed, Judge Berkowitz declared that to permit condemnation of the Falls' property would serve "to create a monument to hate and intolerance in that particular district."

None would care to have such a monument as a playground for children, he added. The court asserted:

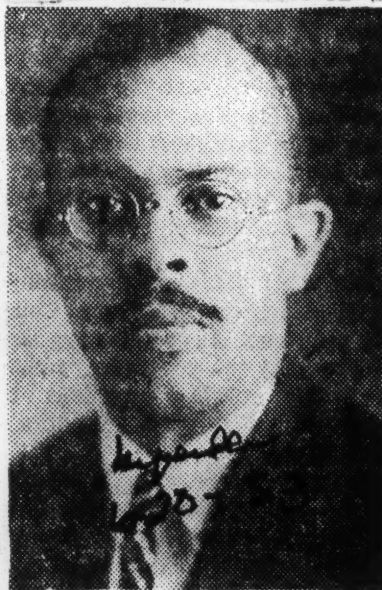
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"We fought this fight through in the interest of democratic equality," the noted Provident hospital surgeon declared. He said construction work will be speeded up on the two Western Springs homes he is building for his family and his sister's family.

Attorneys Sidney Jones and Edward B. Toles, who scored the



DR. A. G. FALLS

significant victory for the Falls family, said this is probably the first time a judge has refused a government the right to condemn land on the grounds that the action was based on racial discrimination.



# CHICAGO JUDGE DENOUNCES WHITES WHO SOUGHT TO CONDEMN NEGRO PROPERTY FOR PARK SITE

It was the first time that such a suit had been fought through to a finish here.

## Points Out Petition Lacks Good Faith in Attempt to Oust Doctor From Home

## SCORNS THEORY OF GRADUALISM

CHICAGO — (ANP) — A Circuit court judge last week branded as bigotry an attempt by residents of an all white suburb to have land owned by a Negro surgeon condemned as a site for a park.

In rendering the decision, Judge Jacob Berkowitz upheld the right of Dr. Arthur G. Falls, surgeon at Provident hospital, and his wife, Lillian, to build a home on the site.

The court decision brought an end to an 18-month litigation by the Falls who refuse to sell their land, located in Western Springs here or allow it to be condemned.

In rendering a decision upholding Dr. Falls' right to the land, Judge Berkowitz refused to permit condemnation of the property which had been requested by the suburb's park district.

Dr. Falls and his wife had maintained that the suit to condemn their land was instituted solely because they are Negroes. The park district, on the other hand, had attempted to defend its action on the grounds that it needed the site for a park. In commenting on this contention of the park district, Judge Berkowitz said in part:

"Certainly at this time the village of Western Springs could use more park and playground area. But it appears from the evidence in this case they were not attempting to get the land at this time for park purposes."

Dr. Falls purchased the lot in April of 1952. He immediately got a building permit. Shortly afterward, he and his wife were invited to attend a meeting in the office of Russell Babcock, executive secretary of the Commission on Human Relations.

Present at the meeting were property owners, in the area where they acquired their property and also in and around the areas where the contemplated park was to be placed.

Babcock had called the meeting to pave the way for the peaceful acceptance of the Falls in the community. But, according to evidence presented in court, shortly after the meeting petitions were circulated to condemn the land for use as park. Evidence showed that some of the people attending the meeting were responsible for the circulation of the petitions.

The reason given Dr. Falls for not wanting him in that area at the time was that the land seemed to be unsafe for the construction of a home. Nevertheless, these same men also seemed to express alarm that somebody about the color of Dr. and Mrs. Falls would move into the neighborhood.

In rendering his decision, Judge Berkowitz the intolerance as manifested by whites in the suburb. Among other things, he said:

"If this land were condemned, it would become a monument to hate and intolerance. None would care to have such a monument as a playground for children.

"It would seem from testimony that the people of Western want a period of five, or 50 or 100 years before they engage in the principles of brotherhood.

"They seem to need to experience the faith of their fathers. They need to try the true Americanism which other communities have enjoyed.

"Meanwhile, this decision is necessary."

The 52-year-old Dr. Falls and his wife were happy over the verdict.

They said:  
"We fought this fight through in the interest of democratic equality."



## 750 Chicago Cops on Alert For Race Riots

Chicago, Aug. 11 (AP).—A force of 750 policemen today patrolled a public housing development on the South Side to head off threatened race riots.

Police earlier dispersed an estimated 1,000 persons who gathered to protest against the admission of a Negro family to the Trumbull Park Homes. It was the second time in two days that police broke up gathering there.

Five persons were lightly injured last night by stones hurled into the automobiles of Negroes who drove near the scene. Rocks were tossed at a Negro-occupied apartment house and through the windows of a tavern in the neighborhood.

Twelve men and youths—eight of them teen-agers—were arrested on charges of disorderly conduct.

Police Commissioner Timothy J. O'Connor detailed three shifts of 250 police each to the area for a 24-hour period. Barricades were set up to keep crowds a half mile away from the development. Six taverns in the area were ordered to close.

### Negro Carrier Moves In.

The incidents started last week when Donald Howard, a Negro letter carrier, and his family moved into the development. They were the first Negro tenants of the four-year-old houses, which are operated by the Chicago Housing Authority.

The authority has asked the FBI to investigate the case. The authority reported that damage amounting to \$700 had been done to the federal project by rioters.

## New Body Has No Power To Change CHA Policy

Mayor Martin H. Kennelley said Wednesday his new committee to study tension at Trumbull Park Homes will not have power to alter the anti-Jim Crow policies of CHA or the city's aims in public housing.

He said the group will merely make a close study of the tension in the project and its sources.

Such a study has not been made before, and its findings will be used in the event of further such disturbances, he said.

The committee, named Tuesday, includes Harry S. Himmel, president, Southtown Planning association; Augustina Rowe, chairman, Chicago Commission on Human Relations; Henry A. Kruse, chairman, CHA; Hugh Micheis, president, Chicago Real Estate board, Joseph Mozeris, Illinois Savings and Loan League, Aldermen Emil V. Pacini, Kenneth Campbell and Robert Merriam.

Only three of the committeemen have publicly taken a positive stand on nonsegregation in public housing.

Kennelley added, the committee will not supercede the human relations committee and its powers will be confined to the study of the Trumbull situation and recommendations for effective methods of handling similar situations.

In answer to protests over the draft of police from other districts to guard Trumbull, the Mayor said the protests are understandable.

Everyone regrets the necessity for the vigil at Trumbull, he added.

### Fires set in Chicago Negro housing dispute

CHICAGO, Oct. 15—(AP)—Firemen answered five alarms, three of them false, Wednesday night at the Trumbull Park Homes, a public housing project where racial disorders have occurred since August.

The two fires, Chief Michael Tobin said, were of incendiary origin.

The first was in a garage. Gasoline and kerosene had been thrown against the garage door and ignited. Damage was minor.

Shortly afterward fire broke out in a scrap lumber pile. Tobin said he found evidence gasoline and kerosene had been used to spread flames.

Violence has accompanied the moving of Negro families into the South Side project which until last Summer had only white tenants. Heavy police escorts accompanied moving vans to the project as three Negro families moved in Tuesday.

Four women were arrested and charged with disorderly conduct and unlawful assembly.

A special detail of 750 policemen is patrolling the project each eight-hour shift. Police Capt. John McCarthy, commanding the detail, said many persons milled about during the fire calls but crowds were kept from forming.

### Campbell One Of Eight Named By Mayor Kennelley

CHICAGO, Ill. — (ANP) — Kenneth E. Campbell last week was one of eight Chicagoans named to a committee of officials to study ways and means of preventing further racial violence here.

Campbell, an alderman of a predominantly Negro ward introduced a bill in the city council calling for the committee. The council adopted the resolution after a discussion of recent outbreaks at the Trumbull Park housing project. The racial disturbances were touched off because four Negro families moved in the former all-white, tax-built project.

Named chairman of the committee was Harry S. Himmel, president of the Southtown Planning association.

Among the other members were representatives of real estate agencies, the Chicago Housing Authority, local business and aldermen.

In naming the members of the committee, Mayor Kennelley said:

"In accordance with a resolution passed by the city council... the mayor has appointed a committee to give consideration to

prevention of promotion of racial tension and possible violence in public housing projects in the future."

Trouble at the Trumbull Park housing project first started in mid-summer when a colored family moved in. Irate white tenants objected to the presence of the Negroes in the project. More than 300 policemen were stationed at the project ostensibly to protect the colored family.

Some two weeks ago, three other colored families moved in the project. This touched off another near-riot. Today there are more than 1,000 policemen patrolling the project.

In introducing the resolution calling for the committee, Campbell warned if something was not done, Chicago might be the scene of a race riot of "catastrophic" proportions.

### 50 WOMEN PELT VAN AT HOUSING PROJECT; NAB 4

Three more Negro families were moved into the Trumbull Park housing project, 106th st and Bensley av., under heavy police guard yesterday. Four women were arrested when a crowd of 50 women showered stones and tomatoes on a moving van in the alley in the rear of 10636 Bensley av.

Capt. Thomas Lyons, chief of the uniformed force, said 750 additional policemen were assigned to guard the area which has been the scene of disturbances since Aug. 9 when the first Negro family was moved in. He said the strengthened detail would total 1,050 policemen for all shifts.

Arrested and charged with disorderly conduct and unlawful assembly were Mrs. Anna Stefanick, 54, of 10817 Bensley av.; Mrs. Rose Vlajnich, 60, of Dyer, Ind.; Mrs. Katheryn Jakovich, 39, of 2617 E. 109th st., and Mrs. Eva Lalich, 58, of 10636 Calhoun av. Bonds of \$525 each were ordered.

The Chicago housing authority, operators of the project, identified the families moved in as those of World War II veterans who had been living under slum conditions. The CHA said federal law required that they be given priority in obtaining the housing.



Police arresting woman in rock throwing disturbance at Trumbull Homes project as Negro families moved in yesterday.

(TRIBUNE Photo)



CHICAGO:

## Race Troubles Return

Between 1940 and 1950 more than 227,000 Negroes crowded into Chicago to fill war-made jobs in steel mills, factories, and meat-packing plants. Many squeezed into the substandard tenements of the "Black Belt" on the South Side, where 300,000 of the city's 500,000 Negroes live. Others settled in white-populated fringe areas.

Early last August, a Negro war veteran's family moved into Trumbull Park Homes, a housing project on the Far South Side. When a jeering crowd assembled, threatening trouble, the police took over, 84 strong, determined to prevent violence. Within the month, 91 persons had been arrested, 56 of them thrill-seeking youngsters under 21.

**Tomatoes and Rocks:** While most of the 2,000 persons living in the 462-unit Trumbull Park Homes maintained peaceful coexistence with the Negro family, two families were evicted for participating in the disturbances. Last week, three more families of Negro veterans moved in, convoyed by squad cars. Despite the presence of some 1,100 policemen, tomatoes and rocks were thrown and four housewives were arrested.

A few aldermen criticized the police for using a sixth of their force to protect four families. But the Church Federation of Greater Chicago called on clergymen to do what they could to ease "a dangerous crisis in race relations."

## Campbell Named To Committee

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Campbell, an alderman, of a predominantly Negro ward introduced a bill in the city council calling for the committee. The council adopted the resolution after a discussion of recent outbreaks at the Trumbull Park housing project, touched off because four Negro families moved in the former all-white, tax built project.

Named chairman of the committee was Harry S. Himmel, president of the Southern Planning Association.

Among the other members were representatives of real estate agencies, the Chicago Housing Authority, loan concerns and aldermen.

In naming the members of the

committee, Mayor Martin Kennelly said:

"In accordance with a resolution passed by the city council... the mayor has appointed a committee to give consideration to prevention of promotion or racial tension and possible violence in public housing projects in the future."

Trouble at the Trumbull Park housing project first started in mid-summer when a colored family moved in.irate white tenants objected to the presence of the Negroes in the project. More than 300 policemen were stationed at the project ostensibly to protect the colored family.

Some two weeks ago, three other colored families moved in the project. This touched off another near riot. Today there are more than 1,000 policemen patrolling the project.

In introducing the resolution calling for the committee, Campbell warred if something was not done, Chicago might be the scene of a race riot of "catastrophic proportions."



# Housing Segregation Banned at Evansville

Indianapolis, July 6 (AP)—Federal Judge William E. Steckler today banned the segregation of Negroes in public-housing projects at Evansville.

His ruling was given in a suit filed by Mrs. Jessie Woodbridge, 25, wife of an Army corporal, who charged the Evans-

ville Housing Authority rejected her application in a federal housing project because she is a Negro.

"It is unlawful for the Evansville Housing Authority to deny occupancy to eligible occupants where vacancies exist solely on the grounds of race or color," Judge Steckler said in his decision.

At a hearing held June 17, Kelley Jarboe, executive director of the Evansville Housing Authority, admitted it was the policy to accommodate only white families in the recently completed 172-unit Sweetzer Homes project. But he said Lincoln Gardens, another project, was reserved for Negroes and provided "equal facilities."

Steckler rejected the contention that there was no discrimination as long as "equal facilities" were provided.

William R. Fitzgerald, attorney representing the Housing Authority, indicated an appeal might be taken from Steckler's decision.

## Segregation Out At Federal Project

U. S. Judge Rules:

INDIANAPOLIS, Ind. —(UP)—A housing project financed by federal funds was ordered Tuesday to rent apartments to Negroes without segregation on grounds "the right to lease property is a civil right protected by the 14th Amendment."

Federal Judge William E. Steckler ruled that the Evansville, Ind., Housing Authority, operator of a project known as Sweetzer Homes, must accept bids by four Negro women who want to live in the project.

The Sweetzer unit has 172 units limited to White families and another 191 units, known as Lincoln Gardens, limited to non-Whites. The arrangement was made with the approval of the Public Housing Authority.

Steckler ruled the housing authority's defense that equal but separate facilities had been provided for Negroes was "not tenable" and "violates the rights secured to the plaintiffs . . . by the equal rights and due process clauses of the 14th Amendment."

The judge said in his opinion "you must bear in mind here that we have projects erected with public funds, erected by the government . . . and the government does not segregate its tax receipts."

## Housing Open To Negroes

INDIANAPOLIS, Ind.—(ANP)

—Negroes cannot be denied admittance to housing projects financed with Federal funds, William E. Steckler, Federal judge, ruled here last week.

In making that decision, Judge Steckler upheld the right of four Evansville (Ind.) Negroes to live in the newly completed 1,172-unit Sweetzer Homes development owned by the Housing Authority in that city. The colored persons had been rejected last month as possible tenants.

In declaring that no one can be denied admittance to Federal projects on the grounds of race or color, Judge Steckler said the action by the Evansville Housing Authority violated the constitutional rights of the persons involved.





Courier-Journal Photo

PICKETING outside home of Alderman Clifford T. Coomes yesterday were, from left, Mrs. Lillian Yadon, 1035 Wagner; Miss Larue Spiker, 432 Kensington Court; Mrs. Randolph Ash, 1305 Howard; her sons, Bruce, 5, and Wayne, 8; Pete Davitt, 236 Goss; Jim Hall, 1450 Woody; Mrs. Davitt; Mrs. Beatrice Pearson, 1261 Bassett, and Mr. Ash.

## Mrs. Hardman Declares She's 'No Longer Afraid'

Well-Wishers Rally To Make Filipino Woman, Target of Blank Petition Here, Feel at Home

By DON FREEMAN

"I'm no longer afraid."

When Mrs. Nina Hardman said this yesterday, she was in the midst of well-wishers, letters and gifts from well-wishers, and happy, hopeful thoughts.

But this pretty native of the Philippines was afraid and lonely Saturday when she moved into her new home at 872 Fetter. Homeowners on the block had circulated blank petitions in an effort to keep her and her family out. She was panicky about what they might do next.

on Mrs. Hardman Saturday night to welcome her to the neighborhood, and described her as "very nice."

"Everything's going to be all right," remarked another neighbor. There were other developments yesterday to make Mrs. Hardman feel at home.

Priest Reads Welcome

During Mass at St. Elizabeth's Church yesterday, she heard the priest read a special message welcoming her to the parish.

And as she walked from the church to its rain-pelted steps, fellow parishioners offered to drive her home.

Strangers have presented food, flowers, and magazines. They have provided ice cream for her three children. A restaurant owner invited her to try, free, his special chicken.

"It's been an early Thanksgiving," Mrs. Hardman said in

her soft, cultured voice. "I have much to be thankful for."

Unfriendliness Offset

She feels that the unfriendly actions of a few "have been more than offset by the kindness of the many."

And she added:

"Public opinion has shown that it's not just for me, it's for everybody of a different nationality."

Mrs. Hardman is determined to stay where she is.

"I'm not selling my home," she said.

Most neighbors questioned in a house-to-house survey yesterday said Third Ward Alderman Clifford T. Coomes was the main figure in the petition move. Coomes lives at 874 Fetter, next door to Mrs. Hardman.

Coomes declined to discuss the matter with a reporter Saturday. Persistent efforts to reach the

Of the 15 neighbors covered in the survey, seven said they signed the petitions. One man said, "My wife may have signed," and three said they refused to sign.

The rest declined to talk, saying in effect, "See Coomes."

Rumors Blamed

Most who signed said they did so because of rumors that the newcomers were Negro, or because "we wanted to be neighborly with Mr. Coomes."

Mrs. Hardman and her uncle, P. S. David, bought the \$13,500 house with their pooled resources.

David, an employee of the Pullman Company, and Mrs. Hardman's mother, Mrs. Gregoria Reyes, are living in the house with Mrs. Hardman and her children. The entire household is Spanish-Filipino.

David was listed as the buyer in letters sent to each property owner by Hansbrough Realty Company, handlers of the sale.

Letters Roused Suspensions

Residents also got letters from Paul Lynch, Hansbrough salesman and commander of Jefferson Post 15, American Legion. On legion stationery, Lynch wrote, "I hope you will extend a welcome to Mrs. Hardman and her family."

Three neighbors remarked that the two sets of letters fanned their suspicions about the racial background of the newcomers.

"It's funny," said one, "because nobody ever sent out a letter welcoming me."

The Hansbrough firm's letters noted that Mrs. Hardman fought with Filipino guerrillas against the Japanese during World War II. She served four years as a W.A.C. officer in the United States Army, and is a member of the Jefferson legion post.

Her first husband, Capt. Jose

Garau, U. S. Army, was killed in action in 1944. She and her second husband, Sherman Hardman, an Army officer from Owensboro, are divorced.

Mrs. Hardman works as a laboratory aide at St. Joseph Infirmary.

"I think she gave me an injection there," remarked a woman who said she refused to sign the petition. "She seemed awfully nice."

"She's a good Catholic, and I'm

a good Catholic, and I wouldn't do anything to hurt her," commented another woman who said she did not sign.

Yesterday, pickets paraded along part of the block with signs welcoming Mrs. Hardman to "Schnitzelburg" and blasting Alderman Coomes.

The pickets said they were acting as individuals, not on behalf of any group.

Schnitzelburg is the nickname for Germantown, a section that includes Fetter. One sign asked, "Did you choose your race or color, Mr. Coomes?"

The name "Zeiber," was also mentioned disparagingly on two of the signs.

But Mrs. Herman W. Zeiber, 873 Fetter, said she is sorry that she signed the petition.

She said that when she signed it she did not realize the newcomers would be as desirable as they are.

Coomes Receives Calls

Coomes said in the formal statement that his home "was picketed by individuals whose names are not known to me," and that "because of my public position I have received numerous anonymous telephone calls." Two representatives of Kentucky labor have issued a joint statement reproving Coomes.

The statement by Sam Ezelle, secretary-treasurer of the Kentucky Federation of Labor, and E. E. Lester, president of the Louisville Federation of Labor, said in part:

"Alderman Coomes acted with poor judgment and it is hoped that Mr. Coomes acted with haste and by now realizes that his emotional outburst was a grave error."

And Mrs. Hardman herself had this word:

"If people are not willing to be neighbors, I believe it is high time to go and live alone where they won't have any neighbors."



CLIFFORD T. COOMES

Reportedly started petition

alderman, whose term expires next Monday, were futile.

But in a formal statement released through an attorney last night, he said in part:

"I believe that I, as a citizen, as well as my neighbors who are also citizens, have the right to protect our families and our property in accordance with the law. This I intend to do, and I have turned this matter over to my attorneys, Woodward, Hobson and Fulton, and I will be guided by their advice."



# Medic Starts New Home; Whites Sue For Property

LOUISVILLE, Ky. (ANP) — Dr. A. G. Falls, a local physician, last week said a suit filed to condemn a site in the Forest Hills subdivision of Western Springs is a device to keep colored people from moving into the area.

Dr. Falls is building a home on the site which the Western Springs Park district is suing to condemn for park purposes. The park district contends that it is necessary "from the standpoint of the interests of the community and the public generally" to acquire this strip.

A statement issued by H. William Hamner, village attorney, supports Dr. Falls' contention that racism is involved in the issue. Among other things, he said:

"At a meeting of the Forest Hills Association which I attended I was asked what could be done to keep Dr. Falls and his wife from moving in. I said that as a municipality we would do nothing about it on racial grounds."

Hammer then suggested two courses open to them. One was to try to dissuade Dr. and Mrs. Falls from moving in. The other was to see if the park district would condemn the property.



## Color Was No Factor In Korea

THE opposition of Gentilly Woods residents to the city's recently outlined proposal, before the City Zoning and Planning Commission to develop the Seabrook tract into a park, and the Pontchartrain Homes Inc., plan for a subdivision for Negroes is without a doubt motivated by racial prejudice of the lowest type. It is sickening and nauseating to the entire Negro community who have patiently waited for about five years for the plans to materialize. *Weekly 38c*

Insofar as housing and recreational facilities, Negroes of this community have been all but ignored in the city planning. Now that the city is about to meet its obligation to dark skinned citizens of this growing community, the lily-white residents of Gentilly Woods seek to block it. They are now objecting on the grounds that they were not informed when they purchased their property of any proposed Negro development immediately north of Gentilly Woods. That is not true. When the deal was first consummated it was announced that so many homes for whites would be built on the front part of the tract, and so many homes for Negroes on the back of the tract. It has never been a secret that the land in question was to be developed into a park and subdivision for Negroes. Numerous stories have appeared in the daily and weekly press of its snail's pace progress during the last four years. *New Orleans, La. Sat. 12-5-53 P. 16*

It is quite a tragic state of human relations when narrow-minded, bigoted people object to Negroes even getting a long delayed opportunity to enjoy some of the things for which this great democratic and Christian country of ours stands.

Frankly, it is very, very discouraging to the thousands of Negroes who unselfishly contributed to the recent overwhelmingly successful United Fund drive, and similar community efforts to think that there are those who would deny them the chance to

make a fuller contribution and enjoy a share in the things which make this country great. It is also discouraging to the many G. I.'s who sweated it out in Korea to preserve our democratic way of life to have put up with the flimsy opposition of the Gentilly Woods residents. Obviously, they think it is all right for Negroes to fight and die for democracy but not all right to enjoy what democracy provides for the average citizen—a decent home and adequate recreational facilities. Possibly not one of the Gentilly Woods residents had any relatives in Korea, for over there, color was not a factor. . . A man was a man, an American was an American. They were against a common foe, the threat of communism. They didn't oppose Negroes being on the firing line beside them because they might be "faced with the devaluation of their property back home or loss of equity in same."

The reaction of the Gentilly Woods residents the Park and Subdivision proposal should stir the Negro community out of its lethargy. Instead of patiently waiting for the city to do something about its five-year-old project they must raise some money and take whatever legal action is possible to get in the numerous subdivisions which are assumed were built for whites.

The U. S. Supreme Court has ruled on restrictive covenants, however it has not been tested locally how it works.

It should be apparent to the entire Negro community that if we sit idly by, there will be some whites who will oppose our drawing a breath of fresh air.

Quickly we need to close ranks, pool our resources which includes our finance, our brain power and ballot to stop some American citizens from pushing us around any longer. In this day of the atomic age, we are just plain tired of being pushed around and we are not as friendless as is thought by some.

## Gentilly Residents Voice Opposition To Negro Park, Subdivision At Seabrook

America's most interesting city plucked another "sour" note of discord when a group of white residents of the Gentilly Woods subdivision last Tuesday at a hearing at city hall attacked the city's plans for a Negro park on the Seabrook tract immediately north of Gentilly Woods and a developer's plans for a subdivision bordering the park to alleviate an acute need for housing. According to staff members of Mr. Bisso's office, all street improvements must be paid by the concern which owns this property and before the final approval is made, the company must post bond for such improvements and street additions. During the hearing, a petition which reportedly bore 1000 signatures expressed opposition to any such planned Negro development. Another petition bearing the signatures of more than 5000 Negro residents was filed in 1939. This one advocated the continuance of Negro occupancy of the Seabrook area at Lake Pontchartrain. This notarized petition was solicited by civic, religious and recreational groups including the YWCA, the Urban League, Students' Art League, the BVM Sorority, the Corpus Christi and other religious organizations.

Almost 14 years and 4 months ago to the date, the Seabrook section was set aside for Negroes. Three years ago the present plan to build a Negro subdivision and park was learned. It was learned that persons purchasing homes in the Gentilly Woods section were acquainted with the fact before buying homes in that area.

Opposition was voiced at a hearing before the city planning and zoning commission after Mr. Bisso, commission director, had outlined the plan of the developer, Pontchartrain Homes, Inc. When a reporter visited Mr. Bisso's office, it was learned that the subdivision plan which was submitted in 1950 was a very good one and that if it meets all of the requirements (in-and-out streets, water, sewerage, lights, etc.) according to the regulations of the city laws, nothing can stop it from being carried out.

Staffmen of the City Planning department pointed out that the plans had passed tentative approvals of all of the departments within the city planning and zoning section at city hall and that should the nine-man planning commission grant an approval no outside opposition can stop the erection of the subdivision.

Mr. Bisso stated that the park area which was bought by the city is composed of 185 acres and was presently being developed by the city. The proposed subdivision, comprising 200 acres, will border the park on the east, south and west sides.

Seven and a half acres near the middle of the south end has been set aside for development of a playground and as a school site, and a commercial area of six acres has been set aside on the southwest side on either side of Press street drive. The remainder of

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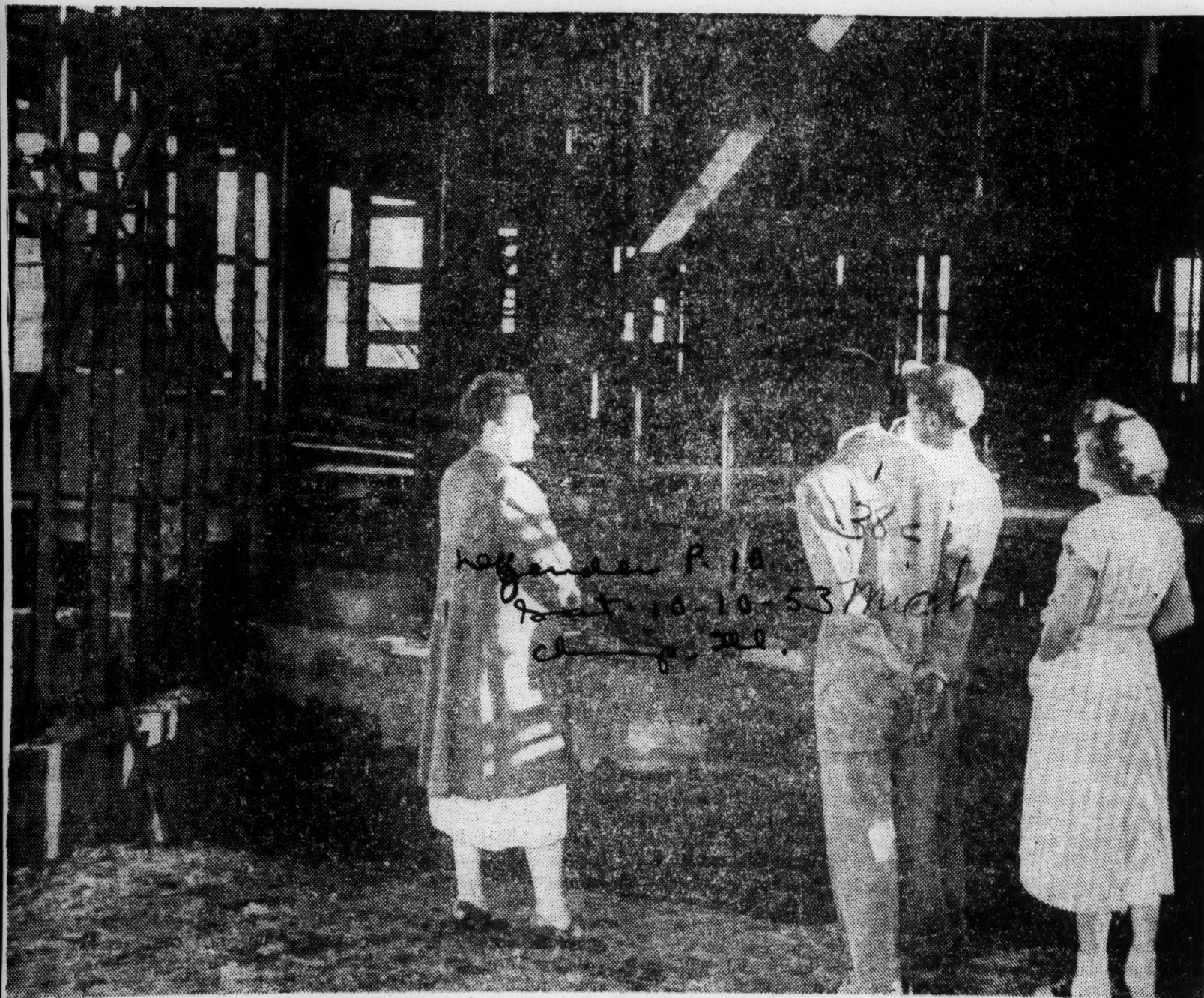
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**RANCH TYPE HOME** being constructed by Negro family in Detroit, Mich., is destroyed by vandals. Located near the Sojourner Truth Housing project, home was being built by Mr. and

Mrs. Peter Barron. Looking over damage is Arthur Johnson, executive secretary, local NAACP, and area residents.



# Another Kansas City Home Struck by Bomb

The third bombing in the same block in less than a year damaged the home of Mr. and Mrs. William Andrews, 2706 the Paseo, early Tuesday morning, March 31.

No one was injured, but the Andrews home was damaged to the extent of about \$1,000 and the house next door, at 2704 the Paseo, occupied by a white family, had all the windows on the south side blown out. *Call*

Mr. and Mrs. Andrews moved into the home last June. They are the only Negro residents in the block although Negro families live in large numbers just a block away on West Paseo and on Vine St., just across Troost Lake.

The bombing occurred about 2 a.m. Mrs. Andrews was awakened by the blast which tore a hole in the foundation of her home and shattered all the windows on the front and on the north side of the house. Mr. Andrews, an employee of General Motors Corporation in the Fairfax industrial district, slept through the blast and was awakened moments later by his wife.

Police said that a black powder bomb was set in a basement window on the north side of the Andrews home, perhaps minutes before it went off. Fragments of the bomb were found in the Andrews' washing machine in the basement and broke a pipe in the furnace.

The gas meter of the home, which sat near the window, was burst open and a water pipe was broken, thus leaving the Andrews family without utilities and with their windows open.

Despite this handicap, Mr. and Mrs. Andrews refused to leave their home and spent the remainder of the night there with two patrolmen on guard. Police officials said that a police guard would remain around the house indefinitely.

Mr. Andrews, 40 years old, said that he would not move from his home. "It will take more than a bombing to scare me out," he said. "The only way I will leave here is to be taken out feet first."

The Andrews family moved into their home just a few weeks after the home of Mr. and Mrs. Charles C. Crittenden, 2736 the Paseo, just a few doors south, had been bombed. The Crittendens were the first Negroes to move into the 2700

block on the Paseo. Their home was bombed a second time last summer. The Crittendens since have moved away, selling their home to a white family. *Call P. 22*

Police had a guard around the Crittenden home for several months. An investigation of nearly a year has not led to a solution of the crime.

It is believed that the person who placed the bomb in or under the basement window of the Andrews home travelled on foot, coming from the west into the back yard and then between the two houses. He chose a night of heavy rains and fog when few persons were on the street.

Mrs. Andrews said that a suspicious looking man stood across the street from her home for several hours on Monday, March 23. She said that he seemed to keep a constant eye on her house and the two on either side of her. "I did not know which of the three houses he was watching" she said. *Call P. 22*

Since moving into the block, the Andrews have received numerous telephone calls, some of a threatening nature. Just before Christmas, someone telephoned them saying that they would receive "a Christmas package." Following this call, the Andrews had their telephone number changed to a silent one.

The two white families who lived next door to the Andrews when they moved in last June have since moved away. Two other white families moved in. Both of their new next door neighbors are very friendly, the Andrews said.

## We Are Not A Revengeful People

Negroes did not set the fires which have plagued white apartment house dwellers in the vicinity of the recent Paseo bombing. We say this in all sincerity because we know the habits and the tendencies of Negro Americans. *Call P. 22*

During the investigation of the bombing of a Negro home, it was revealed that within the short span of a week, 16 fires have been mysteriously set in apartment buildings occupied by white families a short distance from the home of the bombed family. It has been implied by authoritative sources that perhaps Negroes, aroused over the bombing, set the fires in retaliation. People are always measuring others in their half bushel. *Call P. 22*

This is possible, of course, as most anything is possible, but it is highly improbable. The whole history of Negroes belies such a charge. Negroes do not retaliate. They do not seek revenge on those who wrong them. If they did, they long since would have joined with the Communists in an effort to undermine white America. But the Negro is too loyal an American for that. The Commies can't get to first base with him. They make their biggest inroads through white Americans whose salaries indicate that they should be free of revolutionary tendencies. When the slaves were freed after generations of hardship and torture, the freedmen did not turn wrathfully upon their former masters but many continued to give faithful service to those who had held them in bondage. *Call P. 22*

It is not the habit of Negroes to do evil for evil. It is our knowledge of the Negro's pattern of thinking and action that causes us to assert that the cases of arson near the bombing scene are not of the Negro's doing.



# Asks Public To Aid In Solution

## Citizens Raise Reward Money For Capture of Guilty

Bernard C. Brannon, chief of police, and a group of representative citizens meeting in his office Thursday morning, called upon the public of Kansas City to help apprehend the criminals who bombed the home of Mr. and Mrs. William Andrews, at 2706 The Paseo, early Tuesday morning and damaged the home next door at 2704 The Paseo. *Call*

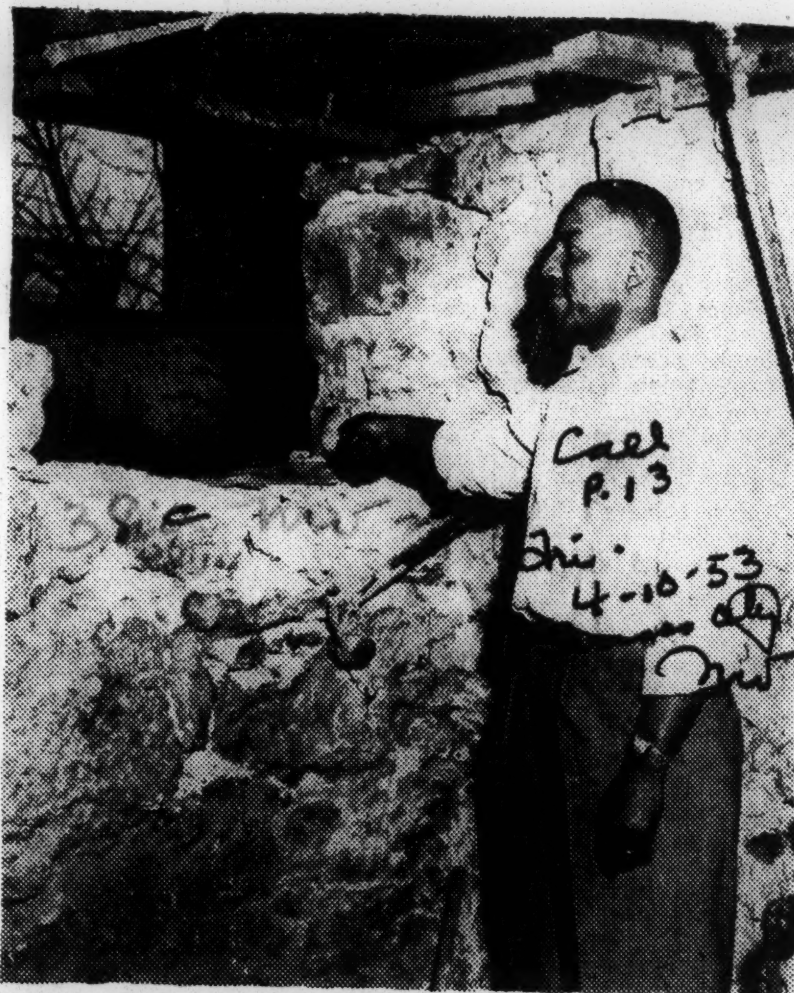
Chief Brannon denounced the bombing as "one of the most reprehensible crimes" it is possible to commit and said that the full force of the police department has been mobilized in the drive to track down the guilty parties. The chief told the 35 citizens of both races who met in an informal conference that he has assigned an around-the clock guard to protect the Andrews family and that he will keep the guard on duty as long as necessary—for 10 years if need be. *4-10-53*

"We must have the cooperation of the public," continued the chief. "Every citizen has a civic responsibility to do what he can to help solve this crime which strikes at the very foundation of our democracy and our way of life. The crime can be laid to prejudice born of ignorance, but the scope goes beyond the bombing. We don't want any type of racial tension to be built up. This case will be given priority from now on." *Kan. City*

### Bombing Presents Challenge

The bombing presents a challenge to the police department, the chief added, and to the city government. "Every human effort will be made," he said, "to solve this crime." *4-10-53*

Any persons having any clues whatever that might lead to the capture of the criminals were



**SHOWS BOMB DAMAGE.**—William Andrews, World War II veteran, points to a gaping hole in the foundation of his home at 2706 the Paseo, caused by the explosion of a black powder bomb early Tuesday. It was the third bombing to occur at a Negro home in the block in the last year. Two bombings occurred in 1952 at 2736 the Paseo, at that time the home of Mr. and Mrs. Charles C. Crittenden. Andrews and his wife moved into the home last June. They are the only Negro couple in the block. Andrews said he will not be frightened away from his home. "The only way I will leave here is to be taken out feet first," he asserted.

urged by the chief to give that information to the police department. *4-10-53*

Sgt. John Flavin of the police arson squad, who is in charge of the investigation of the bombing, was called upon by the chief to tell of the progress made so far in the case. The sergeant said that he and the four men assigned to assist him are following through on every possible clue. There are two suspects at present, he said, both of whom previously refused to take the lie detector test. There also are other suspects, he said.

Sgt. Flavin, like Chief Brannon, said that the police need the cooperation and assistance of the public in finding the culprits. "Somebody in this town," he said, "knows something about this bombing. We are digging hard to find the facts. If any citizen knows or hears of anything at all that might give us a clue in solving

foundations of all the homes and buildings in the vicinity and they are concerned about possible personal injuries from the blasts."

After a full discussion of the situation, citizens and representatives of groups drafted a public statement deploring the bombing and calling upon the public of Kansas City to express its indignation.

Among those attending the meeting were: William Gremley and Millard Mayer, representing the Mayor's Commission on Human Relations; Lewis W. Clymer and Thomas A. Webster, representing the Urban League of Kansas City; Carl R. Johnson, N.A.A. C.P. branch; Sidney Lawrence, Jewish Community Relations Council; Miss Ann Forbes and Cornel Hewson, representing Fellowship House; Dr. Allan Watson, Kansas City Council of Churches; Harold Mann, Association of Community Service Councils; A. R. Kinstley, regional office, CIO; B. J. George, member of the Chamber of Commerce; Oscar L. Gustafson, National Conference of Christians and Jews; Wayne S. Murphy, director, Kansas City Crime Commission; Miss Frances Query, Council of Church Women; Dowdal H. Davis and Lucile H. Bluford, Kansas City Call; Earl Pitts, Mid-City Business association, Floyd Early and Joseph M. Welsh, both of the Commission on Human Relations.

Police department personnel present beside Chief Brannon and Sergeant Flavin were: Sgt. Clifford Warren and Detective William Kenner, who have been assigned to assist Sergeant Flavin in the investigation; Captain James T. Oney of Flora Avenue police station; and Frank B. Collins, chief of operations.

In addition, about eight interested citizens who did not give their names attended the conference.

### Start Reward Fund

Following the issuance of the statement condemning the bombing, citizens present contributed \$110 as the beginning of a reward fund which will be solicited from the general public and offered for information leading to the arrest and conviction of those responsible for the bombing.

Contributions of any amount of money may be sent to the Mayor's Commission on Race Relations, 25th floor, City Hall, 12th and Oak.

Mr. Murphy of the Crime Commission offered to Chief Brannon and his department the complete support of the commission. He

said that any information that came to him would be promptly turned over to the police chief. Speaking as a former FBI man, Mr. Murphy said that a bombing is the hardest type of crime to solve.

Mr. George, a member of the Chamber of Commerce, was the first to give a contribution of \$5 to start a reward fund. "The persons who committed this crime must be punished as severely as the law permits," he said. Others followed the lead of Mr. George and contributed sums ranging from \$5 to \$20 each.

Among those contributing were: Millard Mayer, \$20; Dowdal H. Davis, \$5; Carl R. Johnson, \$5; Dr. Allan Watson, \$5; A. R. Kinstley, \$5; Lewis W. Clymer, \$5; Thomas A. Webster, \$10; Harold Mann, \$5; Miss Frances Query, \$5; Miss Ann Forbes, \$5; O. L. Gustafson, \$10.

Contributing through the mail to the fund yesterday was Howard A. Yost, attorney at law, who sent \$10 to the reward fund and \$11 for the personal use of the Andrews family.





**RESULTS OF BOMBING.** — Mrs. William Andrews, 2706 the Paseo, points to damage caused by a bombing at the home early Tuesday. The blast caused damage estimated at \$1,000 to the residence of Mr. and Mrs. Andrews and damage of \$500 to the home of Mr. and Mrs.

Jerry Medlove, 2704 the Paseo. A dozen windows were broken in the Andrews home and about 10 in the Medlove residence. Mr. and Mrs. Andrews said they have received many threats by telephone since they moved into the home last June.

## Block in Kansas City Has Third Bombing in Less Than Year; Negro Home Damaged

Kansas City, Mo.—The third bombing in the same block in less than a year damaged the home of Mr. and Mrs. William Andrews, 2706 the Paseo, early Tuesday morning, March 31.

No one was injured, but the Andrews home was damaged to the extent of about \$1,000 and the house next door, at 2704 the Paseo, occupied by a white family, had all the windows on the south side blown out.

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although Negro families live in large numbers just a block away on West Paseo and on V street, just across Troost Lake.

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### Black Powder

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bomb was set in a basement window on the north side of the Andrews home, perhaps minutes before it went off. Fragments of the bomb were found in the Andrews' washing machine in the basement and broke a pipe on the furnace.

The gas meter of the home, which sat near the window, was burst open and a water pipe was broken, thus leaving the Andrews family without utilities and with their window sopen.

Despite this handicap, Mr. and Mrs. Andrews refused to leave their home and spent the remainder of the night there with two patrolmen on guard. Police officials said that a police guard would remain around the house indefinitely.

### 'Will Not Move'

Mr. Andrews, 40 years old, said that he would not move from his home. "It will take more than a bombing to scare me out," he said. "The only way I will leave here is to be taken feet first."



## H. U. Grads Defy Housing Barrier

TRENTON — Two Howard University graduates defied intensive efforts by white realty and mortgage groups to keep them out and moved into a home they purchased in an exclusive residential area last Friday. *After American*

The young couple, Mr. and Mrs. Louis Vaughn, formerly of 26 Bellevue Ave., moved into a semi-detached brick building built eight years ago by Mr. and Mrs. John J. Hammer at 366 Oakland st. off Parkside Ave. *p. 14*

The Vaughns bought the home for \$9,500 through their agent, Mrs. Caroline Meade of the Ri-Chip real estate company. *Real Estate*

Negotiations for the sale took two months. *ma*

The efforts of their white neighbors to keep the Vaughns out of the home were so threatening and ugly that an investigation was started by the Division Against Discrimination. *SA 50*

Mrs. Vaughn was formerly a music teacher at Dillard University in New Orleans. Mr. Vaughn is employed at Belle Meade. They have an infant daughter, Wendy.



## Letters

### Discrimination in Levittown

Dear Sirs: I am having my wife write this for me because I am a completely paralyzed polio patient confined to a respirator for the past four years. But in spite of my condition, I feel a sense of outrage at the situation of a good friend of mine, William Cotter, whose back yard adjoins mine in Levittown. He lives there as a guest of the tenant, who is away on a trip. The house represents a decent place for the Cotter family. Bill, his wife, and five children. Before they moved into this house they lived in inadequate quarters in Port Washington.

Mr. Cotter applied for a Levitt rental and was granted one before the owners discovered he was a Negro. When they sent him an acceptance of his application he gave up his Port Washington apartment. He has since tried to rent or purchase a home time and again and has always been refused. The last time, in fact, he was bluntly told he was "undesirable" because of the color of his skin. This past week the lease on the premises he occupies expired, and already the management has demanded that he vacate immediately.

Last week my wife went to the buying office to see about purchasing our home, which has been altered to fit my particular needs. While there, she asked why the Cotters were having such difficulty buying a home, remarking that they were well liked in the neighborhood. She was told that the Cotters would never be allowed to buy a house in Levittown, and if we felt differently, we needn't buy one here either. In indignation, my wife wrote the management a letter protesting against their decision concerning the Cotters. She took it around to the closest neighbors, and all of them were glad to sign it.

Mr. Cotter, an automobile mechanic,

has been a good neighbor and more. He has helped with the manual chores of our household, which because of my condition I am unable to do. His religious and moral attitudes have been a source of inspiration in my troubled life. His children are well liked and well integrated into the community. We, the neighbors of Mr. Cotter, cannot believe that it is the American way of doing things to deny a man a home because of the color of his skin. Nor do we feel that we can teach true democracy to our children when the very homes we live in are segregated in this way.

LAWRENCE ALEXANDER

Levittown, Long Island

## METROPOLITAN LIFE INSURANCE COMPANY CONTINUES BIASED HOUSING POLICY AT PARKCHESTER

### Officers Use Sledgehammers to Burst Open Doors to Bully Way Into Negro Apartment

### FRIENDS OF EVICTED START SIT-DOWN STRIKE

NEW YORK — (ANP) — Chained women, locked doors and hostile crowds could not stop the Metropolitan Life Insurance company last week as it kicked out a Negro family subleasing an apartment in the firm's Parkchester housing project in the Bronx.

This action thus insured the continuing "n. Negro policy at Parkchester, one of Metropolitan's biggest housing developments in New York, and also ended months of campaigning by the Bronx Wide Committee for Integrated housing to have colored family stay.

A United States marshal and six aides backed by 20 policemen used a sledge hammer, saw, crowbar and chisel to bully their way into the apartment and evict Mrs. Sophie Decatur and her two children, Michael and Michelle from their home at 1641 Madison ave. The head of the house, Michael Decatur, was away from home on his job as a dining car attendant when his household goods were moved to the sidewalk.

Last minute do-or-die actions began about 24 hours before the family was to be put out.

At 11 a. m. six women visited the Metropolitan office at 1 Madison in an effort to see Frank Lowe, vice-president in charge of housing. Lowe, whose office is on the 28th floor, kept the women waiting five hours. At 5 p. m. Lowe and a company lawyer, Alfred Carb appeared. Carb talked to the group.

The ladies' complaint was that Mrs. Decatur was to be evicted the next morning. Mrs. Decatur had been living in the Parkchester since last June.

She said that she had subleased the apartment, and that the

Metropolitan company with court approval, had ordered her evicted. Carb said the eviction would take place, despite the protest. He said discrimination was no part of the eviction, asserting that it was a "simple case of unlawful occupancy." But he did admit there were no Negro tenants in the development.

There were exchanges between the lawyer and the women for an hour with Lowe generally standing aside in silence. When no agreement could be reached, the six women fastened the chains about her waist, then around the legs of her chair and finally around the legs of the chair occupied by the women alongside. The woman at the end of the row secured the chain through a metal fastener on the window.

They declared they would stay there until a concrete statement of policy was given by the insurance company. Lowe decided to hold fast in his office as long as the sit-downers stuck it out.

The women said they lived in the Bronx, and were friends of Mrs. Decatur. They remained until 3 a. m. Thursday morning when they agreed to unlock themselves and leave.

However, the next morning, a marshal and six assistants with 20 police patrolling the immediate neighborhood called at the Decatur apartment and literally broke in the door. Once inside, they piled the Decatur belongings on the sidewalk.

Metropolitan has been adam-

ant in refusing Negro tenants in its projects, although it is the largest single landlord in New York City. A bitter fight was waged against anti-Negro policy at the huge downtown Stuyvesant project until finally, a single Negro family was permitted to move in.

The Metropolitan maintains a different policy at Riverton in Harlem. Although the majority of tenants are Negroes and the neighborhood is strictly Negro (135th and Fifth Avenue to 138th and Fifth a number of white families was accepted as residents and lived in the project. At present, the number of white families is very small and growing smaller each month.

### NEGRO SAYS HE'S BEING 'BURNED OUT'

COPIAGUE, N. Y., Nov. 23—A Negro manufacturer said today he believed two fires in eight days were set in an attempt to frighten him out of his purpose to build a white neighborhood here. He said he will not be intimidated.

The second fire was discovered yesterday at the corner of the house being built for Clarence S. Wilson, 43, in the Long Island community.

The first fire occurred on November 14 and was listed as "suspicious" by Babylon town police after a kerosene can was found at the scene. After yesterday's fire was discovered by three children on the way to church, a radio patrol car was assigned to check the house three times an hour.

Dr. Eugene T. Reed of Amityville, N. Y., president of the Central Long Island branch of the National Association for the Advancement of Colored People, said the group would place a 24-hour volunteer guard on the premises if police did not give what he termed sufficient protection.

Wilson, who is president of

One other Negro family lives in the neighborhood about eight blocks away. There is an all-Negro community two miles north of here.



# Two Attempts to Burn Home Don't Scare Him

COPIAGUE, L.I. — Undaunted by two attempts to set fire to the \$16,000 ranch-type home he is building here, Clarence S. Wilson, a beauty products manufacturer, has declared his intention to complete the structure and to live in it in the city-white Deauville Gardens section of this town.

Backing him in this determination is the Central Long Island branch of the National Association for the Advancement of Colored People under the leadership of Dr. Eugene T. Reed, of Amityville. Dr. Reed called upon local authorities to protect the property and gave assurance that the branch would provide guards to watch the house constantly.

The first fire was started inside the incomplete structure on November 14. Thereafter, Percy K. Hempstead, town chief of police, admitted that "it could be arson" instigated by racial prejudice, and promised nightly patrol of the premise. Eight days later, on a foggy Sunday morning, November 22, a second blaze was discovered. A kerosene can and other evidences of an incendiary origin were found at the scene of the fire, which caused damage estimated at several hundred dollars.

Both Mr. Wilson, who now lives in Brooklyn, and Dr. Reed, president of the branch, are convinced that the house was set afire to prevent a Negro family from moving into the neighborhood. The first contractor he engaged refused to go ahead because of local pressures, Mr. Wilson said. Later another contractor was secured.

## Fire Negro Home In Long Island

NEW YORK (ANP)—Clarence S. Wilson, owner of a cosmetics supply house in Brooklyn, built a new home at Copiaque, Long Island. It cost him \$16,000 and was modern in every detail highly comparable to other new homes in the same area.

Last week vandals broke into the house and set a fire, spreading kerosene over the unfinished

interior. Damage, it is reported, was extensive.

Wilson said he purchased the lot in what is now the Deauville Garden section of Copiaque in 1949, but he did not decide to build here until this year.

State police are pushing a vigorous investigation and have promised that they will see the thing through.

In recent years, Long Island, once a hot bed of Ku Klux Klanism, has quieted down considerably, but Jim Crowism flourishes especially in communities like Levittown where the owners have flatly refused to sell to Negro buyers despite pressures by the Urban League and other organizations. By and large, Negroes are not welcome in certain communities on Long Island.

## Two Attempts To Burn Home Proves A Dud

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## Negro Defies Firebugs In L.I. White Section

A Negro manufacturer of beauty products said today that although he believed his new home in a white neighborhood on Long Island had been set afire twice to frighten him off, he planned to live there with his family because "some have to die that others might live."

The second fire broke out at 10 a.m. yesterday in the \$16,000 ranch-type house he is building in the Deauville Gardens section of Copiaque in Suffolk County.

### Now Lives in Brooklyn.

The owner is Clarence S. Wilson, 43, president of Klarex Beauty Products Co., who presently lives with his wife and three sons in a four-room apartment at 88 Brooklyn Ave., Bklyn.

About five weeks ago he started building the seven-room house in Copiaque. The 100 by 120 foot property had been sold to him by a White associate.

The original contractor had backed out of the job, Mr. Wilson said today, saying that people in the neighborhood objected to his building there.

At 1 a.m. on Nov. 14 a fire broke out in a pile of parquet flooring waiting to be laid in the living room. It was put out by the Amityville Fire Department. Damage was between \$500 and \$700, Mr. Wilson said.

He said that state police and Babylon police declared the fire had been touched off with some chemical. Workmen found a kerosene can near by.

### One Side Burned.

Yesterday's fire, which burned one side of the unfinished house, also did about \$600 damage. Mr. Wilson said the same authorities agreed that this, too, was started with some chemical.

"I'm not afraid to move in," Mr. Wilson said. "Some have to die that others might live. I regard

the present incident as part of a war. The future of other generations, their chance to live peacefully, depends upon whether I move in now."

## Robbie finally locates home

Dodgers star buys property in Conn.

NEW YORK—Brooklyn Dodger outfielder Jackie Robinson revealed on Saturday that he and his family have purchased a home in North Stamford, Conn. and that residents of the fashionable rural community have exhibited "nothing but good feeling."

Robinson disclosed that a North Stamford builder had accepted from him a one per cent payment on a partially completed house on Cascade ave. in the exclusive area. The house will be completed by next April he said.

Robinson said he and his wife Rachel had decided to leave their present home in Queens so their three children could have "the benefits of living in the country and going to school where there is no problem of overcrowding."

### Rebuffed in Westchester

Earlier it has been reported that Mrs. Robinson had encountered objections to her choice of property in Connecticut.

Many North Stamford residents, as well as religious and civic groups, however, endorsed a statement that "exclusion of any person solely for reasons of race, creed or national origin could lessen the spiritual, economic and social development of our area."

Mrs. Robinson, who had been house-hunting since last summer, said she did encounter some difficulties in New York's Westchester county but not in North

Stamford.

Robinson said today he hopes the good reception his family received in North Stamford "is a true feeling, and not just a concession to Jackie Robinson's family."



# High Court Takes Over Bias Suit

*referred*  
WASHINGTON — The Supreme Court last week agreed to review a California damages suit against a woman who violated a restrictive covenant and sold her property to Negroes. *3-21-53*

California's District court of appeals had ruled that Leola Jackson cannot be sued for violating the covenant. The court based its ruling on a 1948 Supreme court decision that the covenants could not be enforced by the courts. *ch. 1000*

Mrs. Jackson is being sued by three neighbors on grounds that she violated a restrictive agreement, Negroes moved in and property values have since suffered a severe depreciation. *pg 78c*



# Widow's House Is Target

No Racial Angle Seen  
In Attempt To Blow  
Up Carolina Home

STATESVILLE, N. C.—While the occupants slept, a thunderous blast, thought to have been caused by dynamite, occurred in the front yard of a 45-year-old widow with no known enemies Monday night, Jan. 12. The explosion was heard over a large area of Statesville.

In the wake of the blast, Mrs. Mrs. Odie Corry telephoned police Tuesday and said that someone had tried "to blow up her home."

MRS. CORRY LIVES in the Rabbittown community, an all-Negro settlement here. The house is near the city's industrial section and is five blocks from the nearest white residential district.

Police said a large hole was blasted out of the ground near the front steps of her house and that glass was shattered in the front door and front side windows.

MRS. CORRY SAID she was asleep at the rear of the house at the time of the explosion. She was not injured. Police said the widow could give no reason for an attempt against her person or property.

Police Captain T. G. Kyles said the other occupants of the house at the time of the blast were John Moore and his wife, the son-in-law and daughter of Mrs. Corry. All were asleep at the time.

Officer Kyles said the explosive apparently was thrown at the front of the house from the

street and in all likelihood was aimed at the front window. Officers searched the area with bloodhounds, but no trace of the person or persons responsible for the act were found.

## Widow's Home Blasted By Bomb

STATESVILLE, N. C., Jan. 19—(Special)—Police were searching for clues late Wednesday in the dynamiting of the home of a 45-year-old widow here Monday night.

Mrs. Odie Corry, resident of the Rabbittown community, an all-Negro section, telephoned police Monday night after a blast ripped a large hole out of the ground near her front steps and shattered glass in all front and side windows.

At the time of the explosion, Mrs. Corry was sleeping in a room at the rear of the house and her son-in-law and daughter, Mr. and Mrs. John Moore, who occupied the residence with Mrs. Corry, were asleep also. No one was injured in the blast.

The explosion was heard over a wide part of the city Monday night.

Police Capt. T. G. Kyles said that the explosive was apparently thrown at the front of the house from the street and in all likelihood was aimed for the front window. Officers searched the area with bloodhounds, but no trace of the person or persons responsible for the act was found.

Mrs. Corry's house is near the city's industrial section, and is five blocks from the nearest white residential section.



# Greensboro crossburning ends in blaze of gun fire

## Two Attempts To Burn Home Fail To Scare Manufacturer

GREENSBORO, N.C. — A blaze of gunfire wrote a smashing climax to a crossburning episode here last Thursday.

Four white youths have been arrested on charges of being nuisances and one colored youth, Joseph Martin, 19, has been charged with discharging a fire arm within the city limits.

The police version of the incident labels it as a prank of youngsters, but this has not lessened the shock felt by many residents of this city, considered one of the more liberal in the South.

### On Playground

Reports indicate that the first trouble in the area began about 9 p.m., when the cross, formed by an upright two by four about ten feet long and a four inch board, was placed in the play ground of a white school at Bragg and Pearson sts., opposite a colored housing area.

For the next two hours, it was reported, several loads of white men roared the area yelling threats and taunts at the houses.

Police were summoned to the scene but left without making any arrests.

### Soaked In Oil

At approximately 11 p.m., the cross, soaked in kerosene and oil from a signal smudge pot, was set afire, as an estimated 20 to 25 white men milled about.

The flaming cross was answered by at least two blasts believed to have been fired from one of the colored homes. No one was hit.

The white men scattered at the shots and the cross was immediately extinguished by residents. Slightly damaged it was left lying on the school ground.

At one time during the demonstration the cross bearing men were said to have crossed Bragg st. and entered the yards of some of the houses where they threatened several residents with attack and damage to their homes.

COPIACUE, L. I. — Undaunted by two attempts to set fire to the \$16,000 ranch-type home he is building here, Lawrence S. Wilson, a beauty products manufacturer, has declared his intention to complete the structure and to live in it in the lily-white Deauville Gardens section of this town.

Backing him in this determination is the Central branch of the National Association for the Advancement of Colored People under the leadership of Dr. Eugene T. Reed, of Amityville. Dr. Reed called upon local authorities to protect the property and to assure that the branch would provide guards to watch the house constantly.

The first fire was started inside the incompleting structure on November 14. Thereafter, Percy K.

Hempstead, town chief of police, admitted that "it could be arson" instigated by racial prejudice, and promised nightly patrol of the premise. Eight days later, on a foggy Sunday morning, November 22, a second blaze was discovered. A kerosene can and other evidences of an incendiary origin were found at the scene of the fires which caused damages estimated at several hundred dollars.

Both Mr. Wilson, who now lives in Brooklyn, and Dr. Reed, president of the branch, are convinced that the house was set afire to prevent a Negro family from moving into the neighborhood. The first contractor he engaged refused to go ahead because of local pressures, Mr. Wilson said. Later another contractor was secured.



# Anti-Segregation Rule

## Irks White Community

TOLEDO, Ohio — Angry whites, setback by a City Council vote reversing its stand on segregation in public housing projects last week threatened secession from the rest of the city.

Several hundred turned out to attend a mass meeting in Waite high school to hear opponents assail Council's action in an about-face vote opposing racial segregation in public housing projects. East Toledo is separated from the rest of the city by the Maumee river.

The latest developments in the heated controversy, stemming from a proposal by the Toledo Metropolitan Housing authority to place Negro families in vacant units of the so-called white projects, has this city on edge.

Council's reversal came after statements by Mayor Lloyd E. Roulet and Vice Mayor Howard C. Cook. Cook was one of five councilmen who voted in favor of a segregation resolution.

Roulet, declared in favor of the resolution because in his absence from Council, said the action was ill-advised and that he wanted to be recorded against the resolution.

Cook said that he could not in good conscience remain on record in favor of the resolution. Thus a pro-segregation vote of 6 to 3 was changed to an anti-segregation vote of 5 to 4.

This result led leaders of whites opposing the non-segregation to set in motion steps for secession by the East Toledo community. Legal authorities, however, say they face almost insurmountable obstacles to achieve this objective.

## Police Probe

## Bombing In Cleveland Area

CLEVELAND — Police continued investigations this week into the week-end bombing of a Negro minister's home and the attempt to blow up the house next door.

Apparent indignation against Negroes living in neighborhoods also occupied by whites has been blamed for a "bombing" attack on one home and a dud signed "KKK" left at another.

No personal injuries were sustained from the attack, but the frightened residents said they were knocked out of their beds by dynamite explosions which damaged the foundations of one of the houses.

### MINISTER'S HOME

The second of the incidents which occurred in Cleveland, was a bombing before dawn in the home of the Rev. Smith E. Ware, 48, a former minister of a Barberton, Ohio church.

A blast of dynamite inflicted heavy damage on the pastor's house. A second bomb was also thrown next door where Lee V. Malloy lived, but the fuse to the bomb left on his porch was faulty and the bomb failed to explode.

### HOUSE IS DAMAGED

But the blast perpetrated against the house of Rev. Ware shattered five plate glass windows, pushed radiators from the walls, twisted a downspout, snapped a pipe connected to the organ blower and shattered a portion of the structure's foundation.

Although the bomb on Mr. Malloy's porch failed to explode, his house was damaged by the bomb set off next door. The structure suffered 27 smashed window panes.

### TWO MILES AWAY

Just two miles away, and in a neighborhood occupied by members of both Negroes and whites, a bottle was thrown through a window of the home of Mrs. Delores Johnson, 36.

A note signed: "KKK" declared, "Get out of this neighborhood. The

next time it will be a bomb." No names of possible culprits have been revealed in connection with the bombings.

## Hate Gang Attacks 2 Ohio Homes

CLEVELAND, Ohio — Twice within five days a group of white hoodlums here attacked the home of two Negro families who moved in a predominantly white neighborhood on Cleveland's east side.

The latest incident was a bombing before dawn Sunday, of the home of Rev. Smith E. Ware, a former minister of a Barberton, Ohio, Baptist church. The blast of homemade dynamite shattered five plate glass windows, pushed radiators from the wall, twisted a downspout, snapped a pipe connected to an organ blower motor and buckled part of the foundation.

A bomb planted on the porch of the minister's next door neighbor, Lee V. Malloy, also a Negro, failed to explode because of a faulty fuse. However, the blast at Rev. Ware's house smashed 27 window panes in the Malloy residence.

No one was hurt during the incident. Police said neither family had been threatened.

Last Wednesday a soda bottle containing a note was thrown through a window of the home of Mrs. Dolores Johnson, 36, also a Negro, in a neighborhood two miles away. "Get out of this neighborhood," it said. "The next time it will be a bomb." The note was signed: "K. K. K."

## End Housing Segregation

Toledo Board Accepts Order

TOLEDO, Ohio — A federal court order handed down last week ended segregation in Toledo public housing projects.

Judge Frank L. Kloebe directed the Toledo Metropolitan Housing Authority to put into effect its policy of non-segregation by Oct. 23.

A. G. Spieker, TMHA board chairman, said after the court's ruling, that the authority would comply. Actually, TMHA in January adopted a policy of non-segregation and reaffirmed it in April.

Delay in carrying out the policy was caused when East Toledo whites, living in the area of projects to be affected, objected so vigorously that TMHA was asked to postpone implementation.

Meanwhile, the court action was instituted. Four families filed suit for an injunction against TMHA demanding that they be given accommodations in vacant units of the so-called white projects.

Judge Kloebe's order was a consent decree agreed to by attorneys for TMHA and J. Slater Gibson and Robert V. Franklin Jr., who represented the families.

### Rights Denial Cited

The jurist held that the doctrine of "separate but equal facilities" did not apply to public housing projects. He said the families were entitled to accommodations on the same basis as any other family. Denial of their rights constitutes a violation of their civil rights, he said.

However, Judge Kloebe said no question of civil rights was involved since it was clear that TMHA intended to put into effect its policy of non-segregation. His only requirement, he said, was to set specific time in which it was to take place.

## Outlaws Segregation After October 23rd

TOLEDO, Ohio — Segregation in Toledo public housing projects must end by Oct. 23, Federal Judge Frank L. Kloebe ruled here last week.

Judge Kloebe's order actually was a consent decree signed by attorney's for the Toledo Metropolitan housing authority and for four Negro families who sued to gain accommodations in three here-to-fore white projects.

Ironically, TMHA had announced its intention to ban segregation, but the policy evoked a protracted community controversy, which the court's order is expected to put to rest.

### NO 'RIGHTS' ISSUE

Judge Kloebe held that no civil rights issue was involved in his order, noting that TMHA had decided on its own to remove racial restrictions on its seven projects.

The practice has been for Negro tenants to be housed in four projects on the city's West Side, white tenants to be placed in three projects on the city's East Side.

Opposition to the policy came from East Toledo whites, who had the support of five members of the nine-man city council. Paul J. Hoeftinger, a realtor and leader of the non-segregation foes, said he was disappointed at the ruling.

A. G. Spieker, TMHA board chairman, said the authority would decide at a meeting next month when integration is to take place. He left no doubt that the court's order would be met.

### LIST PLAINTIFFS

Plaintiffs in the court action were Otis Vann, a veteran of World War II, who has a wife and three children; Herschell Davis, his wife and two children; Mrs. Rossie Cooper, three children and Leon Hamilton, married but who lives with four other adults and and three children in a single family house.

Judge Kloebe pointed out that none of the families has been able to secure decent housing at rents they are able to pay. He said their case involved property rights and

the U. S. Supreme court's so-called doctrine of "separate but equal" did not apply.



## TOLEDO HOUSING BIAS BANNED BY U. S. JUDGE

Special to THE NEW YORK TIMES.

TOLEDO, Ohio, June 23—A Federal judge ruled today that the Toledo Metropolitan Housing Authority must end segregation in all low-rent housing facilities under its control no later than Oct. 23.

The authority, which announced its intention to end segregation in three East Toledo housing units in January, had delayed putting the policy into effect after protests from residents in East Toledo.

The ruling by Judge Frank L. Kloeb, was made after four Negro families sought an injunction to force the authority to admit them to the three housing units.

Citing an "identical case" involving the St. Louis Housing Authority, Judge Kloeb pointed out the court in that case had held that the doctrine of "separate but equal facilities" should not apply to a public housing project.

The four plaintiffs had contended they were refused admission to the housing units in dispute solely because they are of the Negro race.

On April 28 the housing authority adopted a new resolution of nonsegregation in the seven housing units under its jurisdiction. However, the application of the policy was delayed pending the court suit, which was filed April 6.

# Bombings Force the Closing of Cleveland Niter

## Towne Casino Calls It Quits After 3rd Blast

CLEVELAND, Ohio—Another mysterious bombing of the Towne Casino—the third one to hit the club in the last five months—caused so much damage and such newspaper furore that its operators have decided to close the spa.

Edward Helstein and Jack Rogoff, owners of the interracial club, announced the closing. Their decision came after conferences with police and the landlord of the building which also holds ten doctors' offices on its second floor. By mutual agreement they cancelled the lease, which had more than fifteen months to go.

The bomb was planted upstairs presumably early in the morning when only a night watchman was on the scene. The three sticks of dynamite ripped a big hole in the club's ceiling and tore up floors and walls as well as breaking 200 windows in the neighborhood.

Ted Meclau, the first owner of the spot to try sepiu shows, sold the club after the first bombing. Racial prejudice by unknown parties was blamed by John Drew, the room's current manager, for the attacks on it. All the bombings came at various times when the current management was bringing the new name colored bands or changing its floor-show policy.

The Towne Casino will merely mark time until its closing, cancelling out other plans.



# THREE PETITIONERS ASK DISTRICT COURT ORDER TO BAR NEGROES FROM LIVING IN NORTH ADDITION

*Black Dispatch*  
Scores Of Property Titles Endangered By  
*Oklahoma City Okla*  
NAACP CHECKS INSTRUMENT FILED IN ACTION

Scores of Negroes who has purchased homes in Culbertson's addition to Oklahoma City on Euclid and farther north are going to find themselves in plenty of trouble respecting their ownership of the property if the court affirms the position taken by Opal Fletcher, Jack R. Moir and Edna M. Moir, who have filed a petition in the district court asking that a revisionary clause in the deed to the property become immediately effective, returning said property complained of to the original owners.

Section two of the restrictive covenant, referred to by the petitioners, provides that the land at issue shall never be sold to "any person of African descent, commonly known as Negroes" and further provides that in the event the covenant is so broken the property "will revert to J. J. Culbertson Jr., his heirs or assigns, and shall be entitled to immediately re-enter and take possession of the property."

The petitioners have filed this suit on the theory the court has never passed upon the revisionary clause in restrictive covenants, and Charles Hills Johns, attorney for the plaintiffs, assumes the court will rout all of the Negroes who purchased property in Culbertson Heights out of their homes and set at naught the substance in the memorable decision rendered in the high court two years ago.

J. E. Stewart, president of the local branch of the NAACP, when questioned about his opinion respecting the suit, said Wednesday he did not think the action instituted in court was worth the paper it is written on. "It seems as though to me the folk are trying every artifice known to human ingenuity to induce the high court to reverse itself. They first bought

## City Proponents

### ATTORNEYS TATE AND FISHER HAVE LAWYER FOR CRESTON HILL SEGREGATIONISTS ON THE RUN

Sam Moore Appears in Judge Hunt's Court And Asks Time to Change and Amend His Petition

DEFENDANTS ADMIT ALL FACTS BUT CONTEND NO CAUSE FOR ACTION

Quite evidently completely upset and confused when he entered Judge Albert Hunt's district court room Friday morning, following presual of a demurrer filed by Attorney Tate and Fisher, in the Creston Hills suit, in an attempt of white property owners to oust Floyd W. and Vera E. Lee, man and wife, from property they have purchased on East 17th st., in Oklahoma City avers Negroes in the Creston Hills addition. At have conspired together to lower the protesting white property ton Hills area and another one in owners, asked Judge Hunt to grant him 15 days to change and amend his petition.

In the original petition Moore represents his clients asked for the cancellation of Lee's deed, and that Lee and his wife be required to surrender possession of the property, plus \$8,600 damages. They further asked the court to prohibit the vendor and the vendee from further completion of the property transfer. Attorneys for Lee, admitting all of the facts set out in Moore's petition, told the court that Moore had not stated a cause of action, for the reason that sale of property in previously restricted areas did not violate any law, and that damages were not collectable, and they asked Judge Hunt to dismiss the proceedings.

Hunt granted Moore the fifteen days asked for in which to change front on the very controversial issue he has injected into the Oklahoma City court relating to the validity of restrictive covenants, which the supreme court of the United States declared void two years ago.

The fact that Sam Moore now seeks to change the form of the petition he filed before Judge Hunt, is prima facie evidence that reactionary forces have started to running, and running fast to cover since Attorneys Tate and Fisher, representing the NAACP, started to gunning for them.

Black Dispatch  
Sat. 12-12-53  
Oklahoma City, Okla.



# Survey In Far West Discredits Belief

PORTLAND, Ore. — The belief that Negro citizens occupying a district formerly inhabited by white people exclusively lessen the property values, has been completely ~~debunked~~ *refuted*.

The vehicle used for proving such a belief to be absolutely baseless is the new pamphlet entitled "Don't Be Misled" just issued by the local Urban League.

It contains facts revealed by a survey of residential areas conducted by the University of California's Bureau of Business and Economic Research, and upon the local findings of the league.

The pamphlet points out that property values are in no way injured by the "presence of respectable, law-abiding citizens" regardless of race.

"Some people — individuals — may cause property adjoining them to be less than desirable, if they are dirty, noisy, careless about upkeep," says the brochure. "But these characteristics have nothing to do with race or religion or nationality. There are a few such people in all groups. But local experience shows that the majority of Portland residents (of all races) are neat, prideful homeowners. And the 1950 census shows nonwhite families living in 60 of Portland's 61 census tracts."

"Nowhere in this city," declares the pamphlet, "has the property devaluation."

Printed in an attractive red, white and blue format, these pamphlets are available at the office of the Urban League of Portland, 408 S. W. Third Avenue, and are distributed free to interested individuals and groups.



# Realtors Confess Racial Sales Bar

## Survey Shows Restrictions By Companies

*Afro-American*  
Majority Admits

It Won't Sell

To Minorities

*Baltimore*  
PHILADELPHIA  
A recent survey of sales practices of the majority of suburban realty companies reveals that most of the concerns refuse to sell to colored people, Jews and members of the minority groups.

The survey was conducted jointly by the Philadelphia NAACP and the democracy in housing committee of the Fellowship Commission.

It included properties that ranged in price from \$9,990 to \$48,000.

Of the 65 realty companies contacted, only two indicated that colored would be accepted as home buyers.

### 26 Said "No"

Twenty-six of the firms contacted definitely stated they will not sell to colored. The remaining 37 either refused to answer or evaded it.

In efforts to justify restrictions based on race and color, some representatives volunteered such statements as the following:

"Do not feel colored would be happy in a white set-up."

"It is a white community."

"Colored in the community would cause difficulty."

"To sell to colored would be contrary to area feelings. However, we have no personal feeling in the matter."

"Sell to colored? Goodness, no!"

### 2 Would Bar Jews

On the question of occupancy by Jews, 15 representatives said their companies would sell to them. Only two said their companies would not. Seven were not sure. The remaining 41 refused to answer.

There were 10 answers to the question: "Do you have an open policy?"

All answers were No. The survey was conducted over the telephone. In a number of instances the caller posed either as a Jew or a colored person.

### Firms Listed

When the caller told one company representative he was colored he was told to come in and discuss the matter.

Posing as a Jew on another occasion, the caller was told salesmen often point out to prospective buyers that the community is "non-Jewish" or

white.

*5-16-53*



# **SOUTH CAROLINA WHITES OBJECT WITH THREATS OF VIOLENCE TO MAN MOVING TO WIFE'S QUARTERS**

*Black Dispatch*  
Complaints Say Husband of Maid Not Want-  
ed in Living Quarters With His Wife  
By Ku Klux Klan

## **SHERIFF'S OFFICE INVESTIGATING CHARGES**

### **PROBE KKK THREAT TO NEGRO COUPLE**

GREENVILLE, S. C. — (ANP) — Investigations into possible Ku Klux Klan activity against a Negro family were being conducted here last week by the sheriff's office.

The investigation came in the wake of a reported threat to a colored husband of a man who was to move into a garage apartment for her employer. Mrs. John League, the employer, told Odel Putman, chief deputy of the sheriff's office, that her maid was afraid to move into the apartment.

Another deputy, Charles Sskew, investigated the complaint and was told by the maid that her husband had been warned not to move in. The husband reportedly was told if he move in, the house and furniture would be burned.

Making the threat, according to the sheriff's office, was a guard at the Simpsonville Chain Gang Camp. That was an order of the KKK, the guard reportedly said.

In addition to the guard, several other persons have made threats to the couple, according to Chief Putman.



# Court Asked To Ban Sale Of Home To Negro

Memphis Property Owners Say Area Is For 'Caucasians'

MEMPHIS — (SNS) — Nine white property owners have asked the court here to permanently enjoin the sale of a home in a disputed area to a Negro.

Nine Fordhurst property owners asked the court to enjoin the sale of a house on Edsel Street to Charles F. Williams.

Named defendants in the action are Paul Greene, Charles F. Williams and D. C. Apperson, a realtor.

**BILL ASKS**  
The bill asks that all three be permanently enjoined "from conspiring to violate the restrictions impressed upon the property located in the Fordhurst subdivision." It also asks that Paul Green be enjoined from transferring his property in the subdivision to Charles F. Williams, a Negro and that Williams, be enjoined from purchasing the property from Paul Greene or occupying the property, "he not being a member of the Caucasian race."

The bill further asks that Apperson, as a real estate operator, "be enjoined from conspiring with any person or persons or inducing any person or persons owning property in said subdivision to sell their property to a person not of the Caucasian race and that he be enjoined from inducing or soliciting Negroes to purchase any property in said subdivision."

## FOR WHITES ONLY

The bill recites in part: Complainants would show to the court that the owners of all of the homes and realty are white people of the Caucasian race; that the subdivision is and has been what is known as a restricted subdivision and the house and lots therein are and have been burdened with certain well-known and registered restrictions; said restrictions running with the land and constitute a contract between all of the parties owning the various parcels of the real estate, as well as those who purchased said property.

Cited is the restriction: "No persons of any race other than the white race shall use or occupy any building or any lot, except that this covenant shall not prevent occupancy by domestic servant of a different race domiciled with an owner or tenant."

The bill charges that "D. C. Apperson has been active in his efforts to induce various and sundry Negro persons to purchase houses and lots and property in said subdivision."

## Whites Seek To Void Home Sales to Race

MEMPHIS, Tenn.—White property owners, angered because Negroes are purchasing homes in the Fordhurst Subdivision in South Memphis, are taking the case to Chancery Court to stop the sale to Negroes and to void any such sales already made.

The defendants are Paul Green, white, 248 Edsel; Charles F. Williams, Negro, 198 South Fourth, and D. C. Apperson, white, realtor.

The bill further asked that Apperson, as a real estate operator, be enjoined from conspiring with or inducing any person or persons owning property in said subdivision to sell their property to any person not of the Caucasian race, and that he be enjoined from soliciting Negroes to purchase property in said subdivision.

The suit was filed by Robert Tillman and Grover C. McCormick, attorneys for the white owners.

## WHITES SEEK COURT AID:

# Ban On Sale Of Homes In Certain Areas Asked

MEMPHIS, Tenn. (ANP) — A suit seeking an injunction to stop the sale of certain homes to colored persons here was the latest effort of some local whites to keep colored persons from living in what the whites consider their neighborhoods.

A group of South Memphis homeowners filed the suit in Chancery court asking for the injunction to keep colored people from buying homes in the Fordhurst Sub-division. The suit asked that the court void any sales already made in the area.

The subdivision is bounded east by Arkansas, west by Riverside, south by Waldorf, and north by South Parkway. A heavy colored population lives south and east of the subdivision.

## Second Suit

The action last week was not the only one taken by white people in Memphis to keep colored people from property in certain neighborhoods. Homeowners of The A. Z. Hill section recently requested city officials to stop sale of homes in white areas to colored people.

Last week's litigation was filed by Robert Tillman and Grover McCormick, attorneys for the homeowners in the Fordhurst area.

The action was brought against Paul Green, owner of a house at the northwest corner of Edsel and Arkansas; Charles F. Williams, colored, and D.C. Apperson, realtor.

## Cites Covenant

The bill stated that the section is covered by a restrictive covenant, which restricts ownership of homes in the area to white people.

The bill charges that Apperson has been trying to induce whites to sell their homes to colored people and finding colored purchasers, despite his knowledge of the restrictions in the deeds. The bill further charges Apperson induced Green to sell his home to Williams.

## Board Silent

The bill also asks specifically that Green be enjoined from selling and Williams from buying the home, and that Apperson be

enjoined from "inducing" any such sales. The court is asked to award any damages that may have been incurred.

Prior to the suit, a petition protesting the methods of some real estate dealers dealing with prospective colored purchasers of homes was signed by about 125 families in the Fordhurst subdivision.

The Memphis Real Estate Board has voted a hands-off policy toward the issue.

## Move To Bar Negroes From Home Sites

MEMPHIS, Tenn. — A group of white home owners in South Memphis have filed a suit in chancery court seeking an injunction to keep Negroes from moving in the Fordhurst subdivision.

The action marked the second time in recent months that residents in all-white communities here have attempted to stop the sale of certain homes to colored buyers. Homeowners of the A. B. Hill section recently requested city officials to bar Negroes from that area.

Last week's litigation was filed by Robert Tillman and Grover McCormick, attorneys for the Fordhurst area homeowners.

The action was brought against Paul Green, owner of a house at the northwest corner of Edsel and Arkansas; Charles F. Williams, a Negro; and D. C. Apperson, realtor.

Apperson, the bill alleges, has been trying to induce whites to sell their homes to Negroes. The bill further charges Apperson induced Green to sell his home to Williams.

The plaintiffs ask specifically that Green be enjoined from selling and Williams from buying the home.

tor of Bethel Presbyterian church; L. O. Swingler, publisher, and Hollis Price, president of LaMoyn College attended the meeting with the mayor.

Mayor Tobey said that other meetings will follow. "We are trying to reach an amiable solution to the problem," the mayor asserted.

## Will Not Move

Williams said that he intended to remain in the neighborhood, despite the bombing of his home.

Police ordered a round-the-clock patrol of the area. The Memphis Shelby County Inter-denominational Ministers' Alliance praised the chief of police for the round-the-clock protection given Williams and his family.

**Few Houses Available**  
The group also pointed out that there have been few homes built for colored persons in the past 20 years. In commenting on this

"Only five per cent of all the private houses built in Memphis in the past 20 years has been for colored families. Ninety-eight per cent of the slum dwellings are occupied by colored families. Most of the desirable areas for development have already been zoned for white citizens."

# Mayor, Citizens Meet On Bombing

of five, located in a formerly all-white section. A homemade bomb shattered windows and loosened shingle boards in the home. No one was injured, however. The house is one of seven recently sold to colored families.

Prior to the bombing, a delegation of white residents visited the Williams family in an effort to persuade them to leave. There is no legal way in which the colored families can be forced to leave the neighborhood since the U.S. Supreme court has declared restrictive covenants to be unenforceable.

## Five In House

In the house at the time the blast occurred were Williams, 45, and his sister, Mrs. Annie Eggleston, 53, co-owners of the building; Mrs. Eggleston's daughter, Clara Cox, and Williams' wife, Sterling, and Bobby Lee.

The blast alarmed ministerial and civic groups, resulting in last week's attempt to arrive at an understanding between white and colored families living in the same neighborhood.

The Rev. J. A. McDaniel, p



# Ban On Sale Of Homes In Certain Areas Asked

WHITES SEEK COURT AID:

## Move To Bar

# Negroes From Home Sites

# Home Sites

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McCormick, attorneys for the Fordhurst area homeowners.

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# Mayor, Citizens

# Meet On Bombina

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## Five In House

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**Few Homes Available**  
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and realty are white people of the  
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sion is and has been what is known  
as a restricted subdivision and the  
house and lots therein are and  
have been burdened with certain  
well-known and registered restric-  
tions; said restrictions running  
with the land and constitute a  
contract between all of the parties  
owning the various parcels of the  
real estate, as well as those who  
purchased said property—"

The bill further asks that Apperson, as a real estate operator, "be enjoined from conspiring with any person or persons or inducing any person or persons owning property in said subdivision to sell their property to a person not of the Caucasian race and that he be enjoined from inducing or soliciting negroes to purchase any property in said subdivision."

The bill asks that all three be permanently enjoined "from conspiring to tolerate, the restrictions imposed upon the property located in the 'fourth street subdivision.'" It also asks that said Green be enjoined from transferring his property in the subdivision to Charles F. Williams, a Negro, and that Williams, be enjoined from purchasing the property from Paul Greene, Charles F. Williams and D. C. Apperson, a realtor.

Memphis Property Owners Say Area Is For 'Caucasians'

MEMPHIS — (SNS) — Nine white property owners have asked the court here to permanently enjoin the sale of a home in a disputed area to a Negro.

Nine white property owners asked the court to enjoin the sale of a house on Black Street to

Court Asked To  
Ban Sale Of  
Home To Negro



## In Disputed Section

# House Is Bombed In Memphis

Atlanta, Ga.

BY JAMES PURDY JR.

MEMPHIS, Tenn. — (SNS) —

The home of Mr. Wrenn Williams and Mrs. Annie Eggleston, 430 East Olive was bombed here early Sunday morning while the sister, brother and three children were asleep.

The bomb, possibly a home made type, tore a crater in the concrete walk about a foot long and dug down about three inches. The bomb was apparently thrown from a moving automobile. It landed on the walkway up against the stone steps. The explosion broke out the downstairs window and several windows up stairs. Shingles were torn away from the wall and several boards of ceiling over the front porch were loosened from their position by the impact.

AT 1:30 A. M.

Mrs. Eggleston told a Memphis World reporter that the bombing occurred about 1:30 a. m. It awakened her daughter, Miss Clary Cox and Mr. Williams.

Had one window downstairs at the front not been open, Bobby Lee, 6, and Sterling Williams, 9, sons of Mr. Wrenn Williams, would have been showered with glass fragments.

The home of Mr. Williams and Mrs. Eggleston is one of the seven on East Olive Street recently sold to Negro families. These homes were formerly occupied by white families.

Mr. Williams, an employe of the Memphis light, gas and water division, said Sunday night "the explosion was plenty loud and I guess they meant to get us," but added firmly, "we're staying."

### AREA DISPUTE

It is believed the bombing of Williams home is the outgrowth of resentment from irate whites who do not want Negro families to move into the home, formerly occupied by whites.

First Negro to occupy a house in the area was Eddie Smith, 441 East Olive. He moved in on April 8 almost opposite Williams home. He said a delegation of 25 white visited his home about two months ago and informed him "This is a white neighborhood." The whites said they would try to pay him back most of his down payment if he would leave.

Wrenn Williams moved into his home on June 6, and in less than a week a delegation of about 50 whites came to his home. One or two of them pounded on the door and yelled "Come out of there." Williams stayed and the crowd gave

up and dispersed.

### LIFE THREATENED

Mrs. Mary Larry, 471 East Olive told a night delegation that she had invested more than \$1,000 in the house and did not want to lose it. A white woman cried out from the crowd. "You'd rather lose that than to lose your life, wouldn't you?"

Commissioner Claude Armour said the area will be patrolled until the danger is over "we will not permit terrorism," he said.

The Negroes have organized a civic organization for self protection. Negroes living in the area, thru their civic organizations are appealing to the Police Department for protection as they are not sure how long the outburst of terror will last and they do not want a repetition of the Mims, Florida bombing.



# Attack On House In White Area

**Blast Is Seen  
As Warning To  
Other Negroes**

HOUSTON, Texas — A mystery explosion damaged the \$24,500 brick home of a Negro cattle buyer Friday in Houston's predominantly white Riverside Terrace.

Police said sticks of dynamite had been placed in a cardboard box on the front porch of the seven-room home of Mr. and Mrs. Jack Caesar. The home is about ten blocks from Texas Southern University which opened here in 1947 under the name of Texas State University for Negroes. Caesar and his wife were not injured. Caesar estimated damage at \$1,000. He said he did not believe an attempt had been made on his life.

"I think it was intended as a warning for other Negroes not to buy in this area," he said.

Caesar said a group of white residents in the area had negotiated for purchase of the home last year but that no agreement could be reached.

A number of Riverside Terrace homes have been purchased by Negroes from white residents since the university's 1947 opening. No other Negroes reside in the 2200 block of Wichita, where Caesar purchased his home last year. Four Negro families reside in the next block toward the university.

Police Chief L. D. Morrison ordered his homicide division to investigate the explosion. The FBI joined the investigation to determine if federal status had been violated.

Mayor Roy Hofheinz said Morrison has assigned his ablest men to the case.

"Bombing is not the American way of settling any issue," Hofheinz said. "Communists, dictators and thugs use the bomb method. I want to call on any citizen who has information that would be helpful to report to Chief Morrison immediately."

# JAIL EX-CONS

## Handyman Says Exec Offered Pay For 'Job'

HOUSTON, Texas — An ex-convict who operates an insurance agency here and a handyman, both white, have been charged with the dynamiting of the home of the Jack Caesars in the once lily-white Riverside terrace.

Carl Dewey "Red" Davis, also a former convict, told police he was promised \$500 by a man identified only as Howell for bombing the residence of the well-known cattle buyer and his family.

Howell is vice-president of the Riverside Terrace Owners assn., which has consistently fought integration in the area. He lives less than a block from the Caesars. The association was formed shortly after the Caesars bought their Riverside terrace home.

### FBI PROBE

Immediately following the blast which caused an estimated \$1,000 damage, Caesar rushed to the front of his home with a gun. Not finding anyone outside, he notified police immediately.

With the assistance of the FBI, the two were arrested within 48 hours of the explosion. They were charged with "arson by explosives."

According to the Caesars, "Howell is the only one who seems to object to our being here after things settled down. Only a few months after we moved in, Howell suggested that we get out or be bombed out."

### REFUSE LIE TESTS

Both Howell and Davis have refused to take lie tests. Howell insists that Davis is lying. To this Davis answered:

"Howell is just trying to put the goat on me."

He said he never received the money he was promised for the bombing.

The NAACP has requested an immediate investigation of the incident. Mayor Roy Hofheinz on

learning of the bombing remarked:

"You don't settle issues like that in a democracy."

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## 2 Suspects Held in Texas Bombing of Home; Praise Quick Action of Law, FBI

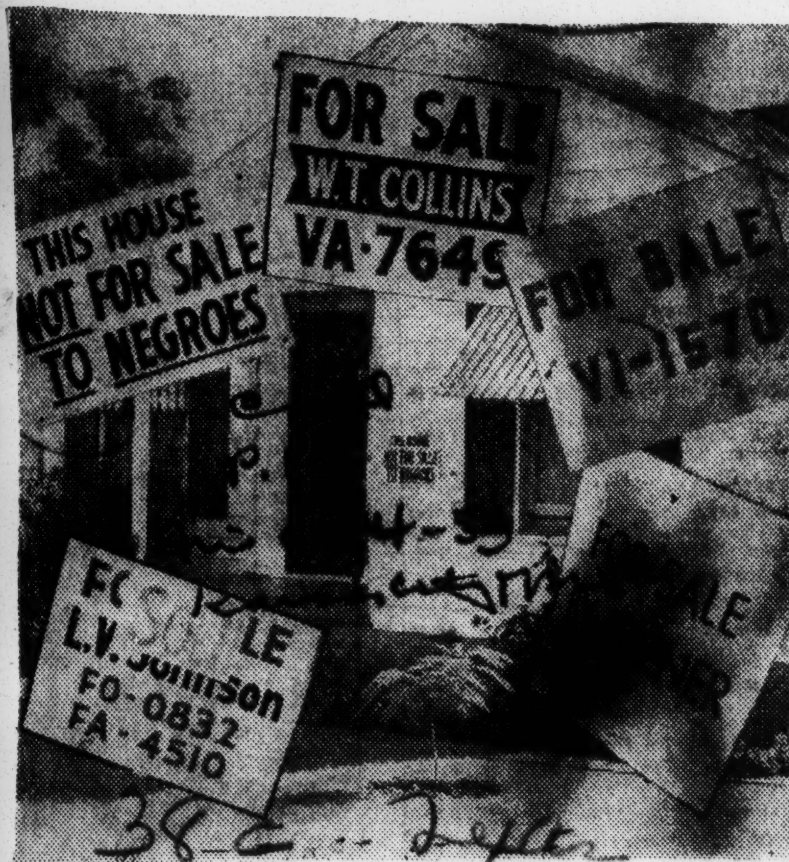
New York.—The National Association for the Advancement of Colored People this week praised the quick action by city authorities in Houston, Texas, and the FBI in apprehending two suspects in the bombing of the home of Mr. and Mrs. Jack Caesar, and at the same time offered its full cooperation to the FBI in investigating the incident.

In a telegram to Attorney-General Herbert Brownell Jr., NAACP Executive Secretary Walter White urged that the "full resources of the federal government be utilized to apprehend all those responsible for the bombing and that maximum punishment be meted out." Mr. White cited previous bombings in Texas and Florida cities that "demonstrated that each incident sets off chain reaction resulting in other crimes of his sort."

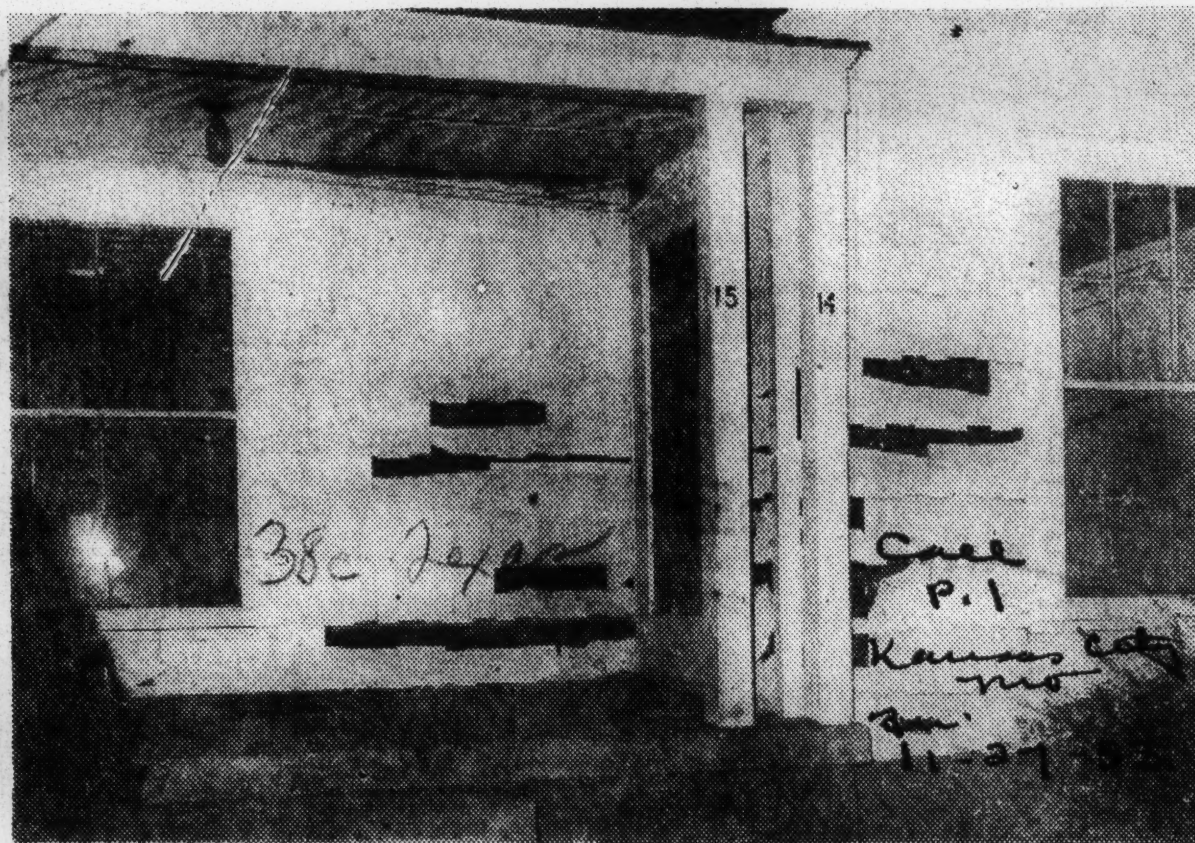
Two white men—one a neighbor of the Caesars and the other a handyman who works for the neighbor—were arrested and charged with plotting and setting off the dynamite explosion that damaged the Caesar home, which is in a predominantly white area. Both men are ex-convicts. The handyman, Carl D. Davis, admitted his part in the crime and said that George Howell, the neighbor, had promised him \$500 to do the job.

The bombing climaxed a series of incidents, including threatening letters and attempts by the local real estate association to get the Caesars to sell their \$24,500 home, which they purchased last summer. The Caesars and their attorney, Henry E. Doyle, feel that many other persons are implicated in the planning of the bombing besides the two who were arrested. In his comments to police, Davis made several remarks to substantiate this belief.





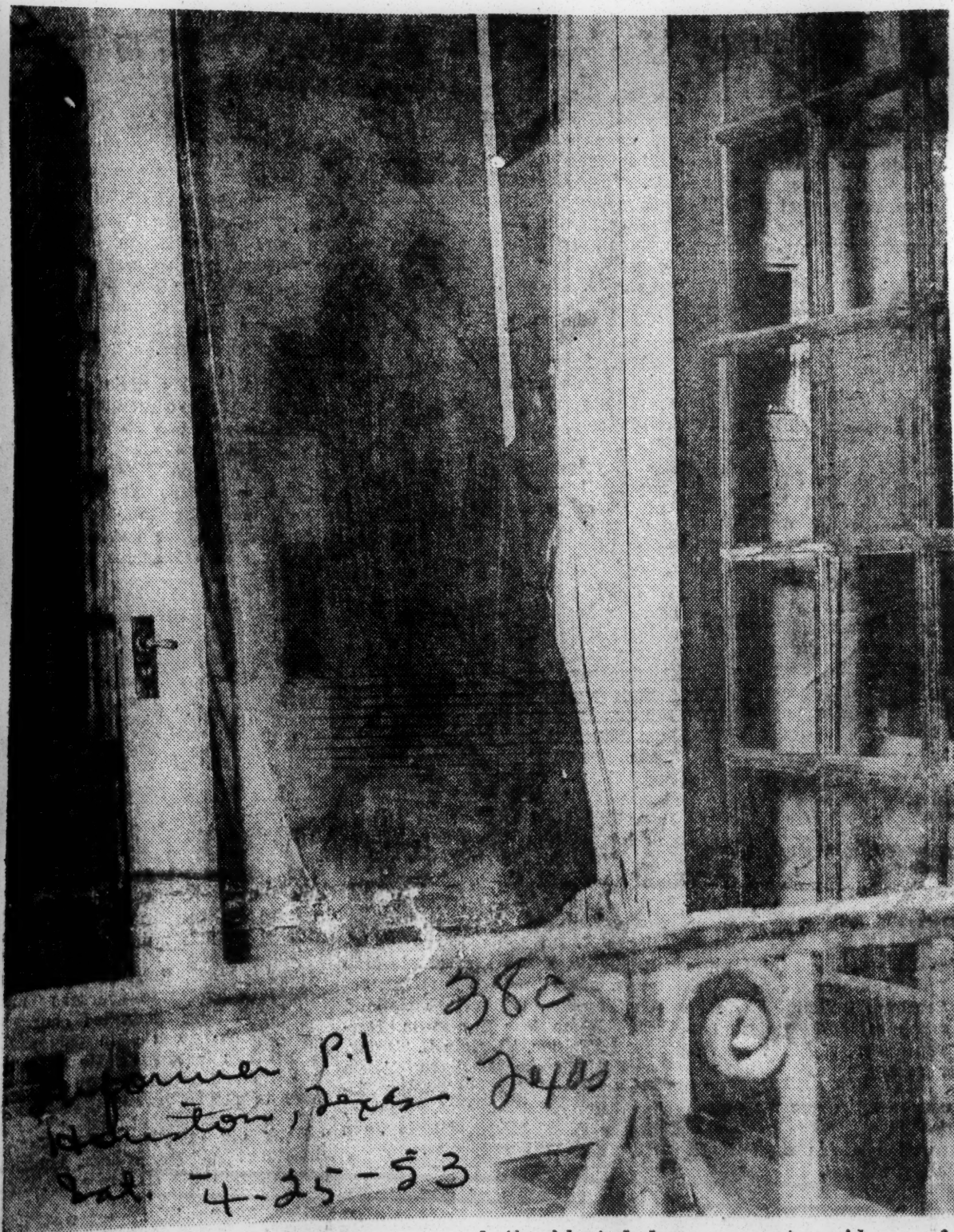
**'NOT FOR SALE TO NEGROES.'**—One of the houses in the heated controversy raging in Fort Worth over sale of houses to Negroes. Note the sign: "Not For Sale To Negroes." This can be found on a number of the houses. However, Negroes are living in one home in the vicinity without violence.



**HOME DYNAMITED.** — Pictured is the home of Mr. and Mrs. L. V. Johnson, 1514 Kennedy, which was dynamited last week in Fort Worth. Mr. and Mrs. Johnson were asleep when the explosion was heard about 1:45 a.m. Tuesday. It blew open the front door, knocked blinds off hooks, smashed two windows and

uprooted shrubs in the yard. It also did damage to the ceiling of the porch. Johnson, who has been handling real estate in the controversial Riverside area, believes this led to the explosion. He said he has been in conference with the FBI and two city policemen.





The shattered, hanging front screen and the blasted door are mute evidence of the explosion which shook the home of Jack Caesar. Police are inclined to believe that the bomb was meant as a warning rather than to harm the occupants. Two men have been charged in the blast.

## Officials Praised

HOUSTON — Citizens in Houston went all out to praise the police department and the FBI for cracking "Sugar Hill" bombing case in a record time.

A delegation of citizens, headed by the Negro Chamber of Commerce, is planning a visit to Mayor Hofheinz to thank him for the splendid work of the police department.

The home of Jack Caesar of 2202 Wichita Street was bombed at early dawn Friday. Shortly after this incident reporters questioned neighbors who stated that they did not hear the bombing, nor did they have the slightest idea who committed such a horrible crime.

Mrs. Jack Caesar told police and FBI men who she suspected, and in less than 20 hours two men were arrested and charged with arson with explosives. One of them George Howell of 2122 Wichita, directly across the street from the Caesar's home denies he had anything to do with the bombing, although C. D. Davis signed a statement stating he and Howell engineered the job.

Statements as these were given by local citizens in praise to the police department.

**Mrs. Orelia Dixon, Managing Editor of Sepia USD Magazine.**

"I think they (the police) did a fine job in apprehending these people. It shows what can be done if the police and citizens cooperate. I think the Mayor should also be complimented for his statement made to the Houston Post."

**Roscoe Cavitt, Executive Secretary of the Houston Negro Chamber of Commerce**

"I agree with Mayor Hofheinz that this act was un-American. The cooperation of the police department show that the people in Houston will not stand for this type of violence."

**Mrs. Joel Thomas, Prominent Insurance executive.**

"I think it was very nice work. I think they were carrying out the American spirit of democracy."

**Mrs. Oscar Bell, Public school teacher.**

"The arrest was made so quickly. I am pleased with the promptness of the police department."

The police department and other officials in the city highly denounced this act of violence. Statements were taken from several officials as follows:

**Assistant Chief of Police George Seber:**

"The police officials are all pleased with the cooperative effects of more than one department and other citizens who helped to crack this case. 'I think we set a record. I feel that this is our job.'"

**Mayor Roy Hofheinz**

"This act was un-American. He also pointed out the quick work by the police department."

**A. F. Lorton, Agent-in-charge Houston F.B.I. office**

"The FBI and the Police investigated the case jointly. The report has been turned over to U.S. Attorney Brian Odem and the Attorney General in Washington for study. 'Attorney Odem was out of the city at press-time."



The Riverside Homeowners Protective Association is still in business and is still bent on driving Negroes from the Riverside area, according to one of the organization's officers.

Frank Harrell, publicity director for the group told the Informer that the organization had nothing to do with the recent bombing of the home of Jack Caesar at 2202 Wichita.

Mr. Harrell stated that the organization is definitely in operation, and "we are still trying to get restrictions renewed in the areas where they have played out."

When asked did he mean the same restrictions which they were trying to get last February to keep Negroes out of the area, he answered, "Yes." The proposed area for restriction is bounded by Calhoun, Alameda, Old Spanish Trail, and Blodgett.

The Houston Police department and F.B.I. solved the infamous bombing of the home of Mr. and Mrs. Jack Caesar, in "record time."

The blast took place Friday morning at 4:30 and by 8:30 p.m. two men had been charged with arson by explosion.

The Houston Police, 2122 Wichita, an insurance man, and Carl Dewey Davis, Standard Hotel, 414 1-2 Milam street, a yardman employed by Howell, were charged before Justice of the Peace W. T. Reagan.

Davis told police that Howell offered him \$500 to do the job.

Police stated that they arrested Davis in his hotel room. They also reported finding a dynamite cap in the room. The Howell house and garage were searched by officers

and they found dynamite wrapping paper there, they said Howell was not in town at the time of the blast according to Mrs. Howell. She told the INFORMER that her husband was in Victoria, Texas.

But police learned that Howell was in Crockett instead. They dispatched three officers to pick him up there. He was arrested at 1:30 a.m. Saturday and returned to Houston.

Howell was the man who Mrs. Caesar said was responsible for the thundering blast that wrecked their beautiful home. She also said that the two, Howell and Davis, had been planning "something" for over a month or so.

In his statement to police, Davis stated that he was approached by Howell and told that he (Howell) wanted him to blast the house of the Caesar family. He told investigators that about three weeks ago, Howell sent him to Rosenberg

is still praising the fast-moving action of the local police and the F.B.I.

to buy some dynamite there.

However, Davis pointed out that when he went to Rosenberg the package that he picked up was already wrapped. He claimed that he had no knowledge that dynamite was in it until Howell unwrapped the package upon his return to Houston.

Davis said that Howell clamped the detonator around the dynamite and punched a hole in it for a fuse.

He stated that he made the decision as to the time that the blast was to take place. He said that Howell was not around Thursday and "he decided to get the job over."

In explaining how the explosion took place, Davis said, "I took the dynamite out of the car, (parked in Howell's garage) and walked across the street to the nigger's house and lit the fuse."

"I set the dynamite near the pillar (of the front porch) and walked off. I got about a block away before the explosion went off."

Davis told officers that he had just returned from a movie when he was picked up.

Both Davis and Howell have police records. Davis was given a five-year suspended sentence in 1949 for assault to murder. His last arrest was on October 20, 1950.

Records show that Howell was once sentenced to the Federal Correctional Institution, Texarkana, for mail fraud. He served six months and was paroled.

When told that Davis had confessed and implicated him in the bombing, Howell denied that he knew anything of the plans or the bombing. He stated that Davis was trying "to put the monkey on his back."

When asked if he would consent to a lie detector test, Howell answered, "I see no advantage in that."

At press time, Davis was still in jail, but Howell had been released on bond.

The local office of the F.B.I. said that the case has been referred to the U.S. Attorney General. If there is any violation of Federal law the U. S. District Attorney will be instructed to take proper action.

Though the case of the infamous bombing has been termed closed, the entire Negro citizenry



# Cross Burns In Bi-Racial Area, Residents Shocked

(Special to Journal and Guide)

GREENSBORO, N. C. — Citizens in this city, considered one of the more liberal in the South, were shocked by a cross burning incident in one of the bi-racial residential sections here Thursday (10/17) which concluded with gun fire after a two-and-a-half-hour duration.

Four Greensboro white youths, Billy and Paul Lamb, 17 and 19, respectively, Buddy Baker, 18 and Tommy Hughes, 17, a part of a group of 20-odd persons accused of participating in the incident were arrested on the following day and charged with being a nuisance. Joseph Martin, 19, a resident of one of the homes reportedly threatened, is being charged with discharging a fire arm in the city limits. He is being represented by J. Kenneth Lee, local attorney.

A 10-FOOT, crude wooden cross was set ablaze on the Caldwell School grounds (corner Bragg and Pearson streets) opposite a Negro populated area.

Residents of the area reported that some 20 or 25 white men milled around the scene where the cross was set afire. At least two blasts were reportedly fired from one of the Negro homes in the direction of the crowd which sent the participants scurrying. No one was hit by the blasts.

THE CROSS, soaked in kerosene and oil from a signal smudge pot, was set afire about 11:00 p.m. It was leaning on playground equipment in the rear of the white school and facing the 500 block of Bragg street. The pieces of wood were wired together.

In the display which came to an abrupt ending after two-and-a-half-hours, some of the men were said to have tried to drag a Negro from a passing vehicle,

threatening him with violence. The man was not identified.

A group of persons who live in the section told police that three cars loaded with men had circulated around the area and that those in one of the cars had yelled threats and taunts at the houses.

Residents also told officers that other policemen had ridden down the street, saw the men gathered in the school yard, shined a light on them and when the men showed signs of dispersing, rode away from the scene.

REPORTS INDICATED that the first trouble in the area began about 9:00 p.m. The cross formed by an upright two-by-four about 10 feet long and a four inch board about seven feet long was not set afire until two hours later.

When the cross was fired, the shotgun was unlimbered and the crowd of men scattered. The fire was immediately extinguished by residents. Slightly damaged it was left lying on the school ground.

At one time during the demonstration the cross bearing men were said to have crossed Bragg street and entered the yards of some of the houses and were also said to have threatened some of the residents with attack and firing their homes.

POLICE LABELED the incident as a prank of youngsters. Police Chief Jeter L. Williamson said he felt the disturbance might have been merely the work of young boys, bent on mischief but not on violence. He said he knew of no incident which might have touched off such a display. The residents of the section could offer no reason for the incident.



RACE RELATIONS, IMPROVEMENT OF





**Inter-racial leader** — Episcopal Bishop C. C. J. Carpenter (above) today was re-elected president of the Inter-racial Committee of the Jefferson County Coordinating Council of Social Forces.

Arthur Shores, Negro attorney, was re-elected vice president. The committee, composed of 25 white and 25 Negro community leaders, is working for improved housing, recreational, transportation, police, fire and medical facilities for Birmingham Negroes.

### Negroes Remember.

**Lewis Admiration**  
The other day when Ed Lewis retired from the L&N Railroad as an engineer, there was one feature of the little ceremony at the Union Station which I missed. It seems that immediately following the presentation to Mr. Lewis of a traveling bag by his union fellow members, the colored locomotive firemen presented Mr. Lewis with a purse containing \$45.

Ed Lewis was particularly appreciative of this gift from the colored firemen. It spoke their friendship and interest in him. He has run with most of the colored firemen who presented him with the money and the presentation showed that the firemen regarded Mr. Lewis highly as did the white engineers to whose union he belonged.

### Teen-ager Saves White Boy's Life

TUSCALOOSA, Ala.—The life of little Johnny Mack Des Roschers, white, was saved by Elsie Whittaker, sixteen-year-old Industrial Arts School student who leaped into the Gulf of Mexico and pulled the child to safety. After reaching the shore, Miss Whittaker administered first aid until the child began breathing.

### White Man Drowns Rescuing Negro

MONTGOMERY, Ala. — A 61-year-old white man was drowned here last Tuesday when he tried unsuccessfully to rescue a Negro at a small pond on Montgomery's outskirts.

Floyd E. White, who was said to be "a good swimmer," jumped in Lazenby's Pond after Samuel Poole fell from the boat while they were checking turtle traps.

Both bodies were recovered within an hour by police and firemen.

## Association incorporated— Group to seek race harmony

An association aimed at improving understanding between white and Negro citizens over the state has been incorporated here.

It is the Southern Negro Improvement Assn. of Alabama, Inc., headed by Samuel H. Moore.

Moore said the association now has approximately 125 members and a campaign is under way to extend membership over the state.

OTHER OFFICERS in the non-profit organization chartered in Probate Court here are G. W. Horton Jr. and I. W. Chambers. All three officers are from Birmingham.

Aims of the association, as listed in its charter, include:

1. To promote and advocate closer understanding and better relations between the white and Negro races of the state.

2. To circulate a publication "revealing and attacking the evils of propaganda and false doctrines appearing in many magazines, periodicals and pamphlets which contain derogatory, prejudice and malicious literature against the white and Negro races in the South, by drawing a clear and true picture of Negro life in the Southland and of his white friends of the South."

3. To acquaint the Southern Negro with "the many opportunities available to him in the South, and to encourage him to work, study, prepare, seek, pray and wait to avail himself of these opportunities."

4. To solicit "spiritual, professional, educational and pecuniary aid in the accomplishments of these goals."

5. To encourage the Negro youth of the South to emulate the lives of famous Negro leaders, such as George Washington Carver and Booker T. Washington.

6. To do such other things as will "remove the cloud of propaganda and false doctrines exhibited against Negroes and whites of the South."

7. To supervise such other activities as will, in the opinion of the association, be to the best interest of all people of the South.

Moore said persons interested in the program can write to him at the association's temporary office at 703 14th-st. s.

## Tell It To Old Grandma

Your name and address must be given on letter \* But upon request, name will often be withheld at the Editor's discretion \* We reserve the right to shorten letters \* no poetry, please \* Repeat: No letter will be printed unless Editor knows who wrote it.

### Why 'Mixed' Baseball Stopped Here

EDITOR, THE ADVERTISER—I wish to reply to your editorial of Sept. 20 entitled "Race Relations in Two Cities." You say that Birmingham, having a large industrial population, has had racial fiction which is unknown in Montgomery. That is generally true. You cite the instance of the baseball games between Jacksonville and Savannah this summer, both having Negro players, to prove it. You further state that a very large number of people was expected, to see this strange sight.

Don't you know your home town better than that, Mr. Editor? I do. I've been living her 50 years. You say you hazard the guess that very few people knew about the Negro players on these teams. On the contrary, I talked to quite a few people who had talked to quite a few more who did know about it. As you say, there was no uproar about it.

But the fact that both games were financial flops proves that the people of Montgomery do not want mixed games, and they are not going to pay to see them. I have lots of colored friends in Montgomery and I want us to stay friends, but I want them to know that I am not a hypocrite, that I've got guts enough to say what I think when I think I'm right. I've seen my last ball game in Montgomery if I have to see a mixed team play.

And I'm sure the people of Montgomery don't want mixed ball games any more than they want mixed schools. I suggest that the Advertiser take a poll of the city to settle this point definitely.

God himself segregated the Negro, far above and beyond the power of any man or any group of men on earth to do, including our august Supreme Court. They can change the law, but they cannot change the facts.

I'm sure that all honest colored people realize this, also that to maintain good relations between the races is to let the colored people have their own churches, schools, and sports of all kinds, which they will do if conniving white men will keep out of their affairs.

D. C. McLENNAN  
Montgomery, Ala.

### It's Time To Further Equality Among People

To the Editor:

It was with great interest that I read the letter to the editor Saturday by Eloise Stewart Wright. This young lady seems to have an understanding of this problem as seen here in the South. I hope to see more of the same in the future between the two races here in the South. Every occasion of better relations should be pointed to and a better understanding of the why should help all of us to promote a better feeling toward all. I have observed here in Alabama Polytechnic Institute a feeling among most of the undergrads and among many of the professors a tendency to feel that it is time to acknowledge and further equality among all peoples of this area. But there are a few who are dogmatic in their attitude toward the colored. It is in the schools that we must further the education of all toward better understanding of all peoples. I hope to see more of these type letters.

ERNEST C. SNYDER.  
Rt. 4, Box 32A, Opelika, Ala.



## Bishop Carpenter reelected head of Interracial Council

Episcopal Bishop C. C. J. Carpenter has been unanimously reelected chairman of Birmingham's Interracial Council.

Atty. Arthur D. Stores, the council's vice chairman, was also unanimously reelected for a second term.

Bishop Carpenter, in accepting the chairmanship, said he would not continue longer than this next year as the chairman of the group, although he hopes to work on the council the rest of his life.

He emphasized that the council is making progress in its objectives towards better race relationships. "The great value of this group," he said, "is that it gives us this opportunity to think together, to understand one another and to work out together our opportunities."

The council also reelected for full three-year terms, four members of the board whose terms were to have expired yesterday.

Reelected were Dr. Louise Branscomb, A. V. Weibel, A. D. Shores and W. E. Shortridge.

Other members of the board are Mrs. Henry C. Bryant, A. B. White, Hartford Knight, A. Key Foster, the Rev. H. B. Gibson, Benjamin Gage, W. H. Sterne and Joe Woodward II.

## Dr. Patterson Feels

# Tuskegee President Cites Growth In Interracial Understanding

**EDITOR'S NOTE:** The Examiner is deeply grateful to Tuskegee Institute's President Dr. F. D. Patterson, who is leaving the Negro school soon to take a position as director of the Phelps-Stokes Fund for Negro education, for taking time out to write this guest editorial on his work at Tuskegee.

Dr. Patterson calls to the reader's attention the work being done at Tuskegee Institute; the improvement of race relations in the South, and the friendly attitude of state officials.

P. 1

I consider it a high honor to be invited to write a guest editorial in The Montgomery Examiner. Since, in view of my resignation from Tuskegee Institute, this statement has something of a hail and farewell nature, I should like my first thought to be an expression of gratitude to the many fine people of Alabama with whom it has been my privilege to work for a quarter of a century.

Though I have been president of Tuskegee Institute for the last 18 years, my first seven years were spent at Tuskegee Institute as a teacher of veterinary science and a practicing veterinarian in the surrounding area. Many of my cherished memories and most understanding friendships were developed during these years.

**ONE GETS PRETTY** close to livestock owners when "old Beck," the trusted family mule, is treated for colic at 2 a.m. or during frequent visits to examine a dairy herd. But friendships made during the entire period have been definitely helpful in the efforts to continue the program of constructive human service

soundly established by Booker T. Washington and provided a firm foundation by his successor, Robert R. Moton.

**ATTITUDES** of helpfulness have in both little and in important ways provided the atmosphere of good will and friendship here at home which is essential to the stability and growth of every sound institution. I hope, and firmly believe, this good will and positive support will continue so that Tuskegee Institute may grow in value to the State of Alabama, the South, the nation and the world.

If adding "the world" seems to take in too much territory, I am happy to advise that Tuskegee Institute graduates, in addition to those in the armed forces, are serving in many parts of the world today. These parts include China, Japan, Africa, India, and Iran. More than this, the constant study of the Tuskegee Institute method of education and community service is resulting in an even wider adoption of techniques, the soundness of which has been tested among the people of Alabama.

**ONE PROGRAM** in this regard seems especially valuable in its widespread application to the countries of less advantaged peoples. The Tuskegee Institute developed low cost housing program, which is now operating successfully in Macon County, and other parts of Alabama and the South, has been transplanted to India, Africa, and British West Indies.

Reports indicate that its use in these countries is just as satisfactory and adaptable as we find it in this country where sand and gravel may be had free of cost as a by-product of erosion. Particular mention has been made of this

program by almost all persons and groups visiting the campus from Point Four countries. An engineer in Bombay, India, using the Tuskegee housing plan, has made minor modifications based on the conditions and resources of his country.

**I HAVE**, during the period of my service at Tuskegee Institute, observed many changes for the better in the living standards of all of the people of Alabama. These changes have involved a switch from cotton growing to pasture development with an associated increase in the number and quality of livestock produced. They have involved improved practices of land conservation generally and the development of better practices in forestry. Industrial development has increased substantially, while increased in-



**DR. F. D. PATTERSON**  
... race relations have improved

come from all productive sources has brought better and more ex-

tensive school facilities and improved homes. All of these have added up to a healthy and more enlightened citizenry.

**I HAVE OBSERVED** notable growth in interracial understanding during the years of my work at Tuskegee. I frequently contrast the difference, in this respect, in the level of political campaigns in recent years as compared to those of earlier days. One notes a more statesmanlike discussion of issues common to the general welfare and a greatly lessened tendency to exploit the race issue by playing on the fears and prejudices of the electorate. In earlier years, it was possible to sense a flare-up in racial feeling associated with political campaigns pitched at the level of the racial issue.

The gradual extension of the franchise to Negro citizens has improved rather than impaired the general welfare. Negroes, opportunity permitting, have voted or refrained from voting in accordance with their individual understanding of their citizenship duties.

**MY CONTACTS** with state officials and other prominent Alabama citizens have revealed a

growing conviction that the best interests of state and nation will be served as all citizens, without regard to race, creed, or color, have adequate educational opportunities, enjoy good health, become property owners and exercise the ballot.

The situation which developed during World War II when so high a percentage of Alabama youth—and particularly Negro youth—were unable, for reasons of illiteracy or health, to enter the Armed Services has had a sobering effect in indicating the relationship between education and health toward meeting one's full obligation as a citizen. Under conditions of national stress, the development of the total citizenry becomes the wisest and best use of state and national resources.

**A HAPPY PART** of this relationship has been the appointment of six trustees by the Governor of Alabama to the Board of Tuskegee Institute. These trustees have proved, without exception, to be men of high caliber. They have worked with complete effec-

sion of graduate and professional courses in the technical fields. In using Tuskegee Institute in this way, Alabama has made the most of its available resources and contributed to the growth and stability of Tuskegee Institute.

**PERHAPS IN NO** area has there been a more salutary change than in the provision which the State of Alabama has made for the higher education of its Negro youth. Though inadequacies remain, financial outlays have been

increased fourfold with a resulting increase in quantity and quality of educational opportunity at the college level. In the development of this opportunity, Tuskegee Institute is pleased to serve as an arm of the State of Alabama in the provi-



These several changes and developments have provided the conditions and relationships which have made my work with Tuskegee Institute a most rewarding experience.

ELBA, Nov. 19. getic man, and he insisted on exhibiting  
THE City of Elba, in Coffee County, the city's financial statement.  
took note of its past, present and The well-equipped volunteer fire de-  
future yesterday upon the 100th anni-partment has brought insurance rates  
versary of its founding. Naturally the down sharply.  
most famous native son Elba has pro- The local weekly, *The Elba Clipper*,  
duced in its first century, former Gov. got a new proprietor in its young editor  
James E. Folsom, was chosen to deliver two years ago and, responding to the  
the main address. 0 3900 exertions of the man and his French

In the minds of the average Alabamian, Elba was identifiable because it was named in honor of Napoleon; because of the calamitous flood in May.

Fri. 11-20-53  
 BY THOSE three things the City of  
 Elba achieved such awareness as there  
 was of it in the public mind. But yes-  
 terday, amid the thousands who  
 thronged the square for the Elba Cen-  
 tennial, the visitor found on every side  
 the evidences of a thriving community  
 full of pride in its present and confi-  
 dence in its destinies.

The City Hall is new and modish. The mayor appeared to be a solid and ener-

on Elba has pro- The local weekly, *The Elba Clipper*,  
tury, former Gov. got a new proprietor in its young editor  
chosen to deliver two years ago and, responding to the  
exertions of the man and his French  
bowl on the fringe war bride, the paper has progressed  
as not the most from a smudged handbill into a com-  
s size during its petent weekly. Potential advertisers  
still have to be sold on advertising, but  
they are learning. *The Clipper* was on  
the average Ala- the streets today with a quite credit-  
entifiable because the streets today with a quite credit-  
ner of Napoleon: able Centennial Edition, relating Elba's

eration ago when North. The Negroes had their place in  
seized and cast the festivities and the director of the  
the creek that feeds Negro high school choir was dully in-  
wards turned up introduced to the throng by the title  
(eine).  
"Mrs."

the best way to convey it is, If you suddenly removed the Dorsey Trailer works Elba would instantly sag and wilt. Without question, we were told, the Dorsey Trailer works payroll was pumping the life blood of modern Elba. Its personnel varies between 500 and 700. The payroll is about a million and a half dollars a year. In short, Elba had the labor supply and Dorsey had the capital. Wherefore a green bay tree grew.

NOW to the contradiction of it all. No body in Elba would question that Dorsey is vital to the happiness and prosperity of the town. Yet, without doubt, the overwhelming mass of these citizens will vote next spring for James E. Folsom.

★

Dorsey Trailers is Gotrocks. You could call it Gotrocks Trailers. It is a money-making business and Folsom seeks to convince his clients that Gotrocks is the enemy of their welfare and aspirations.

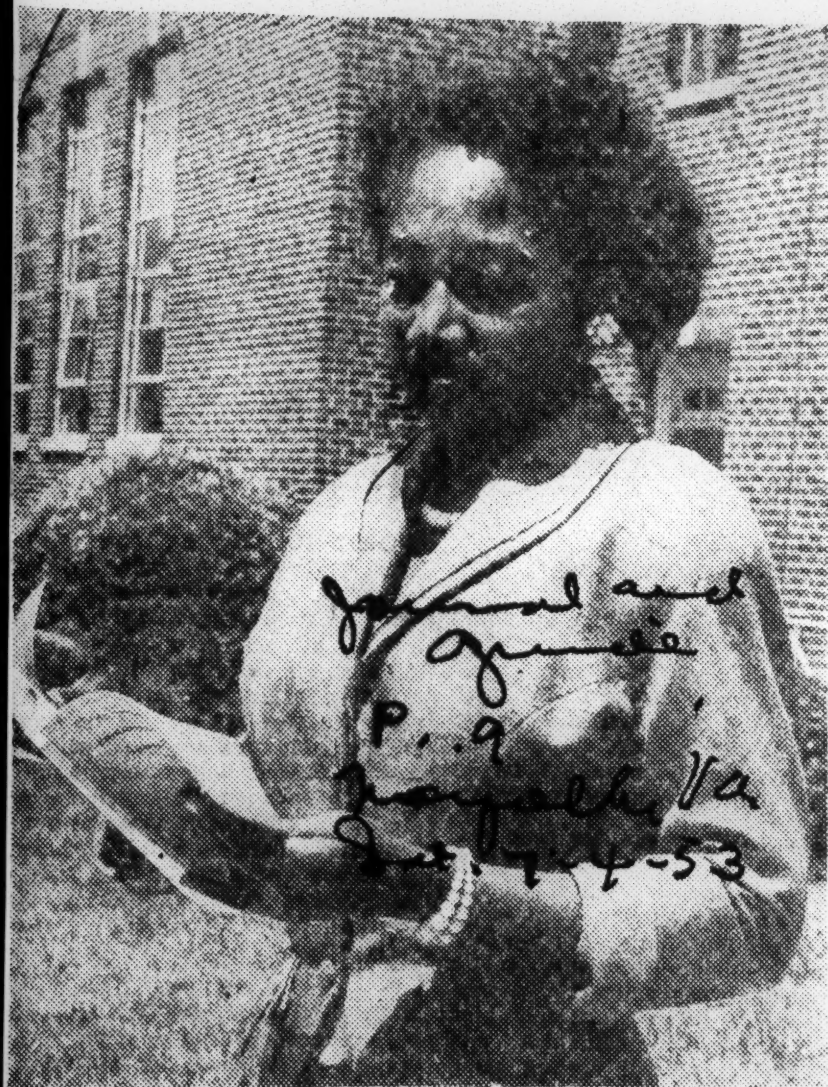
But those in the throng who listened to him today and will surely vote for him in May did not seem to be aware of the contradiction of Folsom and Dorsey.

Industry is the explanation of the stirring revival of the blown and exhausted South. In multiplying them lies the chance of the South's Elbas to become as prosperous as those of the Northeast and Midwest.

Our cities vie within and without the state to entice the Dorsey-Gotrocks. Most of these life-giving Gotrocks seek no special privileges, but they insist on a fair shake from the local government. They are not attracted to states whose governors are hostile and would harass them as a means of exploiting the blindness of unthinking voters.

HERE, possibly, lies the chief menace ALABAMA would survive another quadrennium of marauding by Folsom of Folsom, who still refers to himself as a "big bad booger" in his state messages. The *internal* damage would be repugnant but bearable. His chief damage to Alabama would be *external*—that is, the further cor-ruption of the name of Alabama in the Traller works in America that Alabama be unfriendly to 47 states. Already "Kissing Jim" natives and governed by a malicious chief. Folsom and Dorsey are water's produced since "Cotton Tom". Another and oil.





IN GERMANY — Miss Florence B. Irving, Raleigh, N. C., instructor in business administration at A. and T. College, departed for Germany last week to do special work this summer with the American Friends Service Committee. She left Montreal on June 24 by boat and will return to continue instructional work at A. and T. on Sept. 17. Miss Irving is a graduate of Spellman College in Atlanta and holds the master's degree in business administration from the University of Chicago.



39 1953

AMERICAN JEWISH COMMITTEE (NEW YORK)

CATALOGUE READY  
ON HUMAN RELATIONS

NEW YORK — A catalogue con-  
taining a selected list of human  
relations films is available from  
the American Jewish Committee  
386 Fourth Ave., New York 16,  
N.Y. The list includes 160 films  
on human relations, community  
relations, democracy, Ameri-  
can history, and mental health.



## Brotherhood Week Begins

For centuries, civilization has fought to gain and preserve the basic human rights of religious freedom, tolerance and the brotherhood of mankind.

Our nation was founded upon just such principles. Devotion to them has helped build the spiritual strength without which America could never have achieved lasting greatness.

We think it is indeed fortunate that a nationwide organization, the National Conference of Christians and Jews, has dedicated itself to keeping those ideals alive. We believe it to be of everlasting importance that a free people never lose sight of the necessity of spreading the kinship of man under God.

This is, of course, a year-around proposition. But since 1934, a Brotherhood Week has been held annually under auspices of the of the Conference to emphasize universal dependence on the need for true religion in the crusade for liberty and democracy. This year, Brotherhood Week will be held the week of February 15-22.

Now perhaps more than ever before, America faces a challenge from a godless philosophy that would destroy all human and religious rights. The nation is pouring out its wealth to build material strength against the threat of Communism. But despite this, the united front against the enemy could be weakened were we to become divided by intolerance and bigotry.

Acceptance of the meaning of Brotherhood Week can help build up the spiritual and moral power vital to this fight. This newspaper is proud to support the week and urges the public to participate.—Charles Betts.

## Nation Prepares for 'Brotherhood Week'

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President Dwight D. Eisenhower is honorary chairman of the observance, and Roger W. Straus, general chairman.

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Saunders in his statement cited the scientifically proved fact that there is no racial difference in blood as an example of the brotherhood of man. He said in part:

"A colored lad, coming home from an army camp, was carried from the wreckage of the 'sleigh ride' plane in which he was a hitchhiker. At the hospital the doctors ordered immediate blood transfusions. The nurses didn't go to a special refrigerated cabinet marked 'Negro blood.' They just gave that boy type 'O' blood in a big hurry and no questions were asked."

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"A Declaration Of Faith," by Herbert Agar; "South Of Freedom," by Carl T. Rowan; "Beyond The High Himalayas," by William O. Douglas; "Changing The Attitude Of Christian Toward Jew," by Henry E. Kagan, and Ralph J. Bunche; "Fighter For Peace," by J. Alvin Kugelmass.

Among those serving on the Brotherhood Week Newspaper committee are:

Claude A. Barnett, director of the Associated Negro Press; Erwin D. Canaham, editor, Christian Science Monitor and P. B. Young, publisher, Norfolk Journal and Guide.

## Brotherhood Week Services Begin Tonight

Brotherhood Week observances will open in Washington with sermons on brotherhood at several synagogues tonight.

At Adas Israel Synagogue, Connecticut ave. at Porter st. nw., principal speakers will be the Rev. Dr. Albert P. Shirkey, pastor of Mount Vernon Place Methodist Church and president of the Washington Ministerial Union, and Rep. William L. Dawson (D-Ill.). Religious services, at 8:15 p. m., will be conducted by Rabbi David H. Panitz and Cantor Jacob Barkin, assisted by the Adas Israel Choir.

"Bonds of Brotherhood or Shackles of Hate" will be Rabbi Harry J. Kaufman's subject at a joint service of Beth Shalom Congregation and the Young People's Synagogue, 8th and

Shepherd sts. nw., 8:30 p. m.

Rabbi Tzvi H. Porath will take "A New Look at Brotherhood" at the Montgomery County Jewish Community Center, 8402 Freyman dr., Chevy Chase, Md., at 8:30 p. m. Russian anti-Semitism will continue to be discussed. That will be the subject of Rabbi Barnett R. Brickner of Cleveland, a leader of Reform Judaism, who will fill his son's pulpit at Temple Sinai services at 8:30 p. m. in Bethlehem Chapel, Washington Cathedral.

David J. Faber, writer and member of the executive committee of the Jewish Community Council of Greater Washington, will answer "What's Behind Soviet Anti-Semitism?" at the Arlington-Fairfax Jewish Center, 2920 Lee blvd., Arlington, at 8:30 p. m.

The senior Jewish Navy chaplain, Capt. Joshua Goldberg, will speak at B'nai Israel Synagogue, 16th and Crittenden sts. nw., under the joint sponsorship of B'nai Israel Men's Club and B'nai Israel Sisterhood. His talk, at 8:30, is entitled "I Accuse Communism." Saturday morning, at the synagogue, Cantor Philip H. Brummer will introduce a boys' choir in honor of Jewish Music Month.

Sabbath services tonight include:

Beth El of Montgomery County, 3 Pook Hill rd., Bethesda, 8:30. Rabbi Morris Gordon, "Chains in Freedom."

Har-Tzeon, Highland School, Claridge rd. and Milton ave., Wheaton, Md., 8:30. Joseph Andelman, president of the Washington Brandeis Zionist District, will speak on Israel in a service commemorating the fourth anniversary of the meeting of the first Israeli parliament.

Beth Israel, 3408 C st. se., 8:45. Rabbi Shapiro, "These Are the Laws."

Temple Beth El, 206 North Washington st., Alexandria, 8:30. Adult discussion led by Mrs. Joseph Auerbach on "The Role of Ritual in the Home."

Temple Emanuel (Reform), All Saints Episcopal Church, Chevy Chase cir., 8:30. Guest, Rabbi Paul Liner, "A Maturing Faith."

Washington Highlands Jewish Center, 141 Xenia st. sw., 8:30. Rabbi David Massis, "These Are the Laws."

Rabbi Balfour Brickner of Temple Sinai will give a lecture on "The Jew in the Medieval World" at the Jewish Community Center, 1529 16th st. nw., Monday at 8:30 p. m.

## Dr. R. H. Carter Is Brotherhood Speaker Sunday

Dr. Raymond H. Carter, local physician and civic leader, is scheduled to give the main address next Sunday at Friendship Baptist Church in connection with Brotherhood Week at 11 a. m.

This week is celebrated annually by the Brotherhood of Friendship Church.

Dr. Carter is the son of the late



DR. RAYMOND H. CARTER

Dr. E. R. Carter, who served as pastor of Friendship Church for over 60 years until his death. He was successful by the present pastor, Rev. Maynard H. Jackson.

Dr. Carter has been active in medical, civic, educational and religious circles for a number of years. He is past president of the Georgia Medical Association and a former Commissioner of the Boy Scouts of America.

He is also one of the very few recipients of the Scouts Silver Beaver Award. His educational interest has extended over a span of years, having taught in Atlanta University for several years. He is at present a member of the Deacon Board of his church and has served it as trustee.

Brotherhood Week, which is celebrated annually in February, is sponsored by the National Conference of Christians and Jews. Roger W. Pope, vice president of the Brotherhood of Friendship, is also the chairman of the program committee.



# Plan Program For Brotherhood Week

BOSTON — A six-point program of action for Brotherhood Week which will be observed Feb. 15-22 has been outlined by the National Conference of Christians and Jews which is sponsoring the observance all over America.

The program embraces 1. Sermons on brotherhood from the pulpit, 2. Joint community wide observance by clergymen 3. Emphasis on human relations in the regular church and synagogue school programs, 4. Study groups to discuss the moral and spiritual foundations of America, 5. Festivals of religious music by choirs representing the distinctive music of all groups, 6. Human relations programs in which groups from other races will join in.

Stuyvesant Peabody, jr., is general chairman of Illinois Observance Week. Co-chairmen are Elmer Shirell, personnel manager of the Curtiss Candy Co., a Protestant layman; Ald. Alfred Ciella, of the 36th ward, a Catholic layman; and Col. Henry Crown, chairman of the Material Service Corporation, a Jewish layman.

## Fellowship House Dolls in Adler's Window Show Spirit of Brotherhood

By J. DELMAS ESCOE

Fifteen dolls from the Fellowship House collection are on display at Adler's, 1210 Main, in observance of Brotherhood week, Feb. 15-22.

Kenneth Krakauer, promotion coordinator and merchandise manager at the store, said he thought such a window display would be a good way to get over the idea of brotherhood to the people who happened to see it.

Krakauer is the son of the store's president, Julian Krakauer. He is also a member of the Fellowship House and co-chairman of the local chapter of the National Conference of Christians and Jews.

The dolls in the display are representative of many races, nationalities and religious faiths. They are likenesses of the following great world personalities: Abraham Lincoln, Mahatma Gandhi, George Washington, Martha Washington, Marian Anderson, St. Francis d'Assisi, Joe Louis, Joan of Arc, Dr. George Washington Carver, Harry S. Truman, Dr. Ralph Bunche, Dr. C. H. Weizman, Florence Nightingale, Eleanor Roosevelt and Benjamin Franklin.

Krakauer, with whom brotherhood is a sort of basic principle, took a rather dim view of the fuss over the window display.

Advised by this reporter that he thought the display deserved a news story, Krakauer replied:

"I don't think it deserves anything. After all, it's just an expression of the way to live."

This whole business of brotherhood is nothing new at Adler's. It has been the practice of the store for many years in its dealings both with the public and with its own employees.

Approximately 25 Negroes are employed at the store in various capacities, and everybody gets along like one big happy family.

The oldest Negro employee in point of service is William McHudson, 2635 Park, who has been with the store for 20 years. He is maintenance engineer at the store, and that is no high sounding title for a menial job. McHudson does just what his title implies. He has charge of running the store, including operation of its heating plant and air conditioning unit. He

has one of the most responsible jobs in the place.

McHudson said he has never observed any instances of racial prejudice or discrimination among employees at the store and that Mr. Krakauer, the president, and his son are two of the fairest men he has ever known.

Mrs. Willa Harvey, 2717 Benton boulevard, has been employed as a display assistant at Adler's since last November. She is one of three members of the display department and she helped to arrange the Brotherhood Week display. The other two members of the department are Miss Ann Jenkins, display manager, and Robert Stillwell, assistant.

Miss Jenkins said that Mrs. Harvey is the first Negro to be employed in the store's display department and that she fits into the scheme of things "beautifully."

Mrs. Harvey a former employee at Cricket West, Country Club plaza, said that her co-workers at Adler's are very helpful and cooperative and the finest people she has ever met.

"There are no problems whatever," said Mrs. Harvey. "It's a real joy to work with such people". Other Negroes are employed as stock girls and elevator operators. They report the same friendly relations with other employees.

So, it could fairly well be said, that the spirit of Brotherhood displayed in the Adler's window this week is symbolic of the spirit of brotherhood displayed in the store all year.

## Brotherhood Week Official

SPRINGFIELD, Ill. — Gov. William G. Stratton of Illinois has proclaimed the week of February 15-22 as Brotherhood Week, calling upon the state's citizens to join with the National Conference of Christians and Jews in the world-wide observance.

Witnessing the signing of the proclamation was Stuyvesant Peabody, jr., president of the Peabody Coal company and Illinois general chairman of Brotherhood Week.



**BROTHERHOOD WEEK DISPLAYED.**—Shown are a portion of the Fellowship House dolls being displayed in the windows at Adler's, 1210 Main St., in observance of Brotherhood Week, Feb. 15-22. The dolls represent personalities of many races, nationalities and religions. Kenneth Krakauer, merchandise manager of the store, is co-chairman of the local chapter of the National Conference of Christians and Jews, sponsor of Brotherhood Week.

## 25th Brotherhood Week Observation Starts Sunday

BALTIMORE — Brotherhood Week, stressing the moral and spiritual values of a nation embattled in the defense of its democratic principles, opens Sunday, February 15 as churches throughout the country hold services keynoting the theme of the observance, "Brotherhood—For Peace and Freedom."

The week-long dedication is sponsored annually by the National Conference of Christians and Jews. President Dwight D. Eisenhower is honorary chairman.

More than 7,000 communities in the United States and Canada will participate in this year's program marking the 25th annual Brotherhood Week observance and the 25th anniversary year of the National Conference of Christians and Jews.

The special religious services held Tuesday and all through the week by American churches and synagogues will dedicate the people of the nation to the Judaeo-Christian concept of the brotherhood of man under the Fatherhood of God.

Chaplains with the armed services have arranged brotherhood programs at military installations in this country and abroad.

Television stations will carry brotherhood messages and the nation's 18,000 motion picture theatres have organized a Brotherhood Week campaign to enroll 250,000 new members for Christians and Jews.

A special effort will be made to enroll children as junior members.



# 'Brotherhood Week' Begins Feb. 15, Prepare To Observe It Nationwide

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President Eisenhower is honorary chairman of the observance, and Roger W. Straus, general chairman.

## Observes Anniversary

During the week, the NCCJ will observe its 25th anniversary. More than 18,000 motion picture theatres in the United States will participate in this anniversary of the NCCJ.

Journalists and noted persons throughout the country are supporting Brotherhood Week, many of whom have issued statements on the week. Among them are Branch Rickey, of the Pittsburgh Pirates baseball team; Richard Rodgers, musical comedy playwright, and Carl M. Saunders, editor of a Jackson, Mich. publication.

Rickey said: "The kind of brotherhood I have in mind goes above and beyond the simple duties of one American citizen to another. Our citizens by and large are more interested in the grace of the swing, the speed of the legs, the clever techniques of the slide than they are in the pigmentation of the other fellow's skin or the last syllable of his name."

## Praise For Actors

Rodgers lauded the spirit of actor and actress in practicing the spirit of brotherhood.

"I have never heard of an actor refusing to share a dressing room with another because of color, but I do know that all of the actors refused to play in the National Theatre in Washington until it stopped practicing segregation," he said.

Saunders in his statement cited the scientifically proved fact that there is no racial differences in blood as an example of the brotherhood of man.

"A colored lad, coming home from an Army camp, was carried from the wreckage of the

'sleigh ride' plane in which he was a hitchhiker. At the hospital the doctors ordered immediate blood transfusions. The nurses didn't go to a special refrigerated cabinet marked 'Negro blood.' They just gave that boy type 'O' bloc in a big hurry and no questions were asked."

## Suggested Books

Several books have been suggested for reading during Brotherhood Week. They include: A Declaration of Faith, by Herbert Agar; South of Freedom, by Carl T. Rowan; Beyond the High Himalays, by William O. Douglas; Changing the Attitude of Christian Toward Jew, by Henry E. Kagan, and Ralph J. Bunche; Fighter for Peace, by J. Alvin Kugelmass.

Among those serving on the Brotherhood Week Newspaper Committee are: Claude A. Barnett, director of the Associated Negro Press; Erwin D. Canham, editor, Christian Science Monitor, and P. B. Young, publisher, Norfolk Journal and Guide.

## CBS Radio To Pay Tribute To Negro Pioneer Sunday

NEW YORK — (ANP) — In a triple tribute, Columbia Broadcasting System radio observes Sunday, Feb. 15, honoring Abraham Lincoln's birthday, National Negro History Week (which ends that day) and saluting Brotherhood Week (which begins that day) in a unique manner.

During the intermission on CBS Radio's New York Philharmonic Symphony broadcasts, commentator-producer James Fassett will present his original biographical portrait of Amos Fortune, a unique New England pioneer, who according to the inscription on his tombstone, "was born free in Africa, a slave in America. He purchased his liberty, professed Christianity, lived reputable and died hopefully Nov. 17, 1801, age 91."

The program will be heard on CBS radio 1:30-3 p.m., CST.

Here is the story as told by Fassett:

Amos Fortune, a Negro slave who in the late 18th century bought his freedom, made a contribution to good citizenship that is still enjoyed 150 years after his death in the New England town of Jaffrey, N. H. Residents of that community are still aware of Fortune's gift to their little town and are proud to claim him as a citizen and a brother.

## Town Sponsors Contest

Amos Fortune's legacy to the school children of Jaffrey provides prizes for a "good citizenship" oratorical contest each year. An Amos Fortune Forum each summer in the same meeting house that Fortune attended carried on the discussions held almost two centuries ago by men who fought for freedom and human dignity.

There is little record of Fortune's early life. It is known only that he was born in Africa and brought to this country as a slave. That he was sold at the public market place for about 20 pounds is a reasonable conjecture.

Fortune then set-up as a tanner and currier, essential trades in a primitive community and prospered. Although he did not even know the language when he first came to this country, he taught himself to read and write and cipher, and this placed him well above the average citizen of the town.

Amos Fortune, citizen, owned his own home, subscribed to the local newspaper and even helped organize the town's library. He lived

in Woburn for 10 years after becoming a free man and during this time he bought the freedom of three women slaves. One of them became his wife, but died a year after their marriage. A second wife, Violate and his adopted daughter survived him.

## Falls In Love With Town

While Fortune was delivering a load of hides from Woburn to Keene, N. H., one day, he passed through the town of Jaffrey and fell in love with it. Shortly afterwards, he moved there and built a sturdy home of his own, which still stands and is lived in today. He became one of the town's most respected citizens. He trained apprentices in tanning as well as reading and ciphering, and was a pious member of the church.

The year before he died, Fortune made a will, making provision for his wife and adopted daughter and dividing the rest of his funds between the local church, and the school district in which he lived, with the provision that the money be used in some way to promote good citizenship.

Today, Amos Fortune's intense craving for freedom is known to every school child in Jaffrey, and recognition of his gift to the town where he lived as a freeman is a yearly event. After his death, his friend Deacon Spoffard used part of his estate to buy the church a silver communion service, which is still in use. The remainder, the sum of \$223, known as the Amos Fortune fund, was given to the school, with the stipulation that it be used to help inculcate the idea of the democratic process.

## A Lasting Tribute

This has been done. The income from the fund has been allowed to accumulate, until today the total is well over \$1,000. Each year it provides prizes for the Jaffrey school children, who compete in an oratorical contest on what makes a good citizen. In the same meeting house that Amos Fortune attended, Jaffrey holds an Amos Fortune Forum each summer, a lecture series by leaders in economic fields who stress the meaning of freedom and the democratic tradition, and what they meant to the early New Englanders.

What they mean to modern New Englanders is typified in a recent tribute to Amos Fortune by one of his fellow-townsmen: "We are proud to claim you as a citizen and a brother... There will never be anyone so great and wise in that he may not learn a lesson of the town you honored and loved, the obligation of citizenship from your humble example."



# 7,000 Communities Join In Brotherhood Program

Atlanta is joining more than 7,000 communities from coast to coast this week in annual observance of Brotherhood Week.

The week-long stressing of "moral and spiritual values of a nation embattled in the defense of its democratic principles" began Sunday, when churches scattered throughout Greater Atlanta held services keynoting the theme "Brotherhood — For Peace and Freedom."

## SCROLL READY

In schools, club meetings, and even in theater lobbies, Atlantans young and old will be given an opportunity during Brotherhood Week to sign a scroll setting forth that theme.

President Eisenhower is honorary chairman of the 20th annual observance, sponsored by the National Conference of Christians and Jews.

A poster quoting him, "Without understanding of each other, or without a spirit of brotherhood, we would soon cease to exist as a great nation," will be displayed here throughout the week.

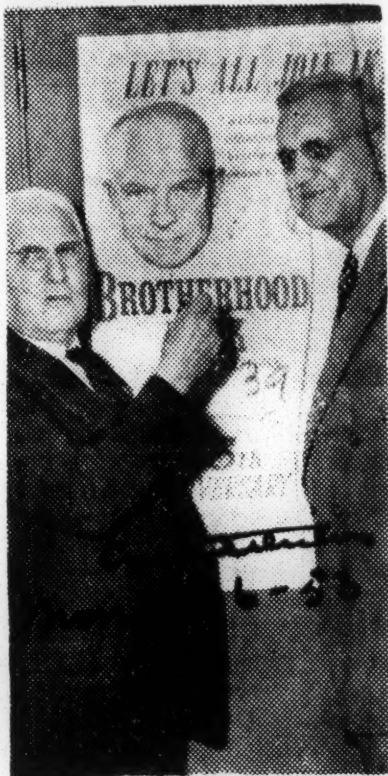
The poster urges, "Let's All Join Ike!" and includes a scroll for signatures which will be sent to the White House. Copies will be made available in schools in this area and in some theater lobbies.

## ROTARY HEAD

Kendall Weisiger, Atlantan who heads the national Rotary Club Foundation, is serving as chairman of Brotherhood Week in Atlanta. Roger W. Strauss, of New York, board chairman of American Smelting and Refining Co., general chairman of the observance, spoke in Atlanta in January. Knox Walker represents Fulton County schools in the observance.

Civic clubs here will include special Brotherhood Week lectures on their program. In Atlanta and over the nation television and radio programs will spotlight the week.

A highlight of Brotherhood Week in New York City will be a luncheon Friday at which Mrs. Oveta Culp Hobby, Federal Se-



Staff Photo—Edna Weston

## BROTHERHOOD LEADER

Kendall Weisiger, Knox Walker Security Administrator, will make her first public appearance since her appointment as a member of President Eisenhower's administration.

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itchhiker. At the hospital the doctors ordered immediate blood transfusions. The nurses didn't go to a special refrigerated cabinet marked 'Negro blood.' They just gave that boy type 'O' blood in a big hurry and no questions were asked."

Several books have been suggested for reading during Brotherhood week. They include:

"A Declaration Of Faith," by Herbert Agar; "South Of Freedom," by Carl T. Rowan; "Beyond The High Himalayas," by William O. Douglas; "Changing The Attitude Of Christian Toward Jew," by Henry E. Kagan, and Ralph J. Bunche; "Fighter For Peace," by J. Alvin Kugelmass.

Among those serving on the Brotherhood Week Newspaper committee are:

Claude A. Barnett, director of the Associated Negro Press; Erwin D. Canaham, editor, Christian Science Monitor and P. B. Young, publisher, Norfolk Journal and Guide.

## Name Jackie

## Brotherhood

## Week Chmn.

Jackie Robinson, star of the Brooklyn Dodgers, will serve as national chairman of community organizations for Brotherhood Week, to be observed February



JACKIE ROBINSON

21-28 under the sponsorship of the National Conference of Christians and Jews, it was announced Saturday, by Thomas L. Brant.

Under his leadership, co-operation in the national observance will be enlisted from women's, youth, veterans, fraternal, labor, industry and farm groups. Theme of the observance is "Let's get Together for Brotherhood."



# Progress Cited in Giving Negroes Better Opportunities

FLORIDA

First of a Series

By BERT COLLIER

Herald Staff Writer

Substantial progress has been made in the Miami area during the last 10 years toward lifting Negro residents from the role of second-class citizens. But much remains to be done.

Health and educational opportunities have increased greatly. Jobs are somewhat better and more numerous. Housing has improved, although it still is in short supply and some of the newer units command exorbitant rents.

Most significant of all has been change in the climate of inter-group understanding, in which all people work and live together for a better community.

In this area, said a study released Saturday, "major strides have been made in the improvement of human relations." There have been isolated instances of friction, but these "made known how necessary it is for alert, better thinking people of sound minds to develop programs for perfecting democracy in America."

The study of the Negro population was made by Dr. Warren M. Banner, director of the department of research and community projects of the National Urban League. It was directed by the Advisory Committee on Minority Problems, comprised of spokesmen for various community groups, and headed by Mrs. Hollis Rinehart, long active in civic and welfare projects.

What makes the study of unique importance was that Dr. Banner made a similar survey here 10 years ago. His two reports in conjunction measure the progress of a major community in improving the lot of a minority group.

"The report shows we have made extraordinary progress in some fields, but great gaps remain in others, particularly in public recreation," said Mrs. Rinehart.

"On the whole we have done

pretty well, and the outlook is hopeful. We are calling on all groups in the community for



DR. WARREN M. BANNER

assistance in carrying out the recommendations for continued progress."

Dr. Banner made complete explorations of housing, health, education, crime and juvenile community activities as they affect the Negro citizens.

"The sole intent of this study is to present factual data which will be helpful in further developing community resources to improve living conditions among minority peoples of color," the report said.

"While there is always an area for deliberation and difference of opinion which can arise out of interpretation of the facts, the facts themselves should be indisputable."

One basic fact is that Dade county Negro population is becoming proportionately smaller. In the '40s, it dropped from 18 per cent of the total to 13 per cent. Numerically, however, it jumped from 49,518 to 64,947.

How does this group earn a living? The report says it often has to compete on unfair terms.

The county government, largest business enterprise in the area, has 502 Negro employees. While this is only 6 per

cent of its total pay roll, it is a huge increase over the 80 employed 10 years ago. Major gains have been addition of Negro physicians to the attending staff at Jackson Memorial Hospital and Negro probation officers for Juvenile court.

"The school system has employed a larger number of Negroes in responsible positions than any other government unit. Here Negroes constitute approximately 16 per cent of the teaching force, including principals. Recently salaries were equalized.

"However, Negroes are not permitted to run the full gamut of jobs in the system, thus their average return in wages would be lower than the average to White workers because their representation among the higher paid jobs is restricted."

The city of Miami has 844 Negro workers, but 85 per cent are laborers. Regular employees are less than 10 per cent of the total and receive the lowest pay.

"Greatest gains in municipal employment have been in the police department. There are now 52 officers. A colored judge with clerical assistance has been added to the municipal court."

Most glaring lack is in the fire department, which has nearly 500 employees without a single Negro worker, the report points out. A per capita share would be about 80 Negro firemen.

Jobs in industry are widening in range, but additional opportunities are slow to open.

The report recommends a program to increase skills among Negro workers and the jobs open to them. It also asks: "That, with aid of officials in organized labor, a summary review be made of the barriers established by organized labor to the training and full-employment of Negro workers."

Tomorrow: Negro housing, health and education.



PLANNING MEMBERSHIP DRIVE FOR COMMUNITY RELATIONS COUNCIL  
... Rev. Caxton Doggett, Rabbi Joseph Narot and Fr. Theo R. Gibson

By Community Relations Council

## Interfaith Dinner Schedule

More than 300 Miami area churches are receiving invitations to have delegates at the first annual dinner Nov. 10 to kick-off a membership drive for the Dade County Council on Community Relations.

Speaker for the occasion will be Dr. George Mitchell, executive chairman of the Southern Regional Council in Atlanta. The author and educator is an expert in the field of economics and labor relations.

An inter-faith committee of clergymen—Rev. Caxton Doggett, of Rader Memorial Methodist; Rabbi Joseph Narot, of Temple Israel; and Fr. Theo R. Gibson, of Christ Episcopal—is

campaigning to get three delegates from each church to the 7 p.m. event at the Colony Restaurant.

Those three are on the 40-member executive board of the year-old organization established by the Dade County Commission.

They are urging churches to cooperate because they feel the council is performing a service which supplements church efforts to bring harmony in the community by eliminating racial, religious, social and cultural prejudices.

One of the things they point to is the record of the council's first year which saw the major

effort going toward finding housing and other facilities for delegates to the National (Negro) Baptist convention to avoid the possible recurrence of race friction.

The council also completed a slum housing survey and one on the status of inter-group education in the public schools here.

During the coming year the council plans a survey on the conditions of Puerto Rican migrant workers and one on the schools to see if facilities for Negroes and Whites are equal.

The latter survey, according to Mrs. Terry King, administra-



tive secretary, will be to aid the school board in knowing what steps to take when the Supreme Court rules on school segregation cases now pending before it.

Mrs. King is the only paid staff of the council whose membership is open to the public. She is doing graduate work in psychology at the University of Miami.

Hollis Rinehart is chairman of the council. Other officers are Paul Scott, Malcom Ross and Burnett Roth, vice chairmen; Adm. Telfair Knight, treasurer; and Marie Roberts, secretary.





## REVIEWING THE NEWS

By WILLIAM GORDON

Managing Editor, Atlanta Daily World.

### We Have Allies In The South

I had walked only a few doors away from the store when someone touched me on the shoulder. "Young man, I believe this is your change you dropped a few minutes ago."

The person was a middle-aged white woman. She seemed relieved when I turned, smiled and thanked her politely for what she had done. Then in broad Southern accent, she told me that she was in the store when I made a purchase and saw the change drop from my pocket when I left the store. She smiled and briskly walked away, obviously feeling that she had done her good deed for the day. Likewise, I went about my business feeling that more friendly people live about us today than we realize.

This single incident, which occurred in a Southern town, made me dig deeper into situations involving other experiences that serve to document the friendliness, the sincerity and the genuineness of the individual person. And you don't have to leave the South to find them. *Ward P. 6*

I had walked only about a block when it occurred to me that many other friendly gestures had been evident even in my short life-time. They are numerous. *Birmingham*

There was the time when, a colleague and I had automobile trouble near Texacana, Arkansas. It was ~~amazing~~ and not a service station or garage could be found open. We looked for help and was told that the only available person in town was a white man who ran a small garage. When a friend called him, he got out of bed, walked almost a mile and fixed our car and refused to accept pay. We were told later that this was typical of the man and typical of many of the whites in the town of Texacana, Arkansas. *Mar. 11-10-53*

I had walked another block when my thoughts turned to the time while on a trip through Virginia. It was early Sunday morning. I was driving alone. A young white fellow waved me down. I stopped and picked him up. We talked about almost everything under the sun and I found him to be most interesting. But trouble arose again. The car started giving trouble and we had to stop at almost every other filling station feeding it water and oil. It finally stopped dead still in the center of the highway. I felt stranded, without help or money but again something happened.

This time, the youngster got out in the highway, waved down some motorist who pushed the car to the nearest service station. I tried to pay for the services and again it was refused. When the car was finally repaired, I paid what was equivalent to less than a fair price.

Again, I went on my way thinking how much good and de-

cency are found in people. There was the time when I sat in a crowded club car running between New York and Boston. The man next to me wanted to say something, but didn't really know how to get a conversation started. Then it happened.

Someone across from us spilled coffee and part of it ran in our direction. He quickly grabbed a napkin and began mopping up the coffee. When he learned that I was from the South, he began to talk freely about conditions and changing trends. He apologized for the shortcomings in our social system and began to ask questions about why he had not met many Negroes in his life-time.

When I left the club car I was convinced of his sincerity. I was also convinced that hundreds of people like this man were praying and waiting to be friendly, especially to the American Negro. It also convinced me that these were the true and real Americans who spend little time talking about democracy, but who actually accept it as part of their daily lives.

These brief and seemingly small incidents give you the feeling that thousands and perhaps millions of Americans are simply waiting to show their feelings and generosity when the time is ripe to do so.

More recent, these experiences brought to mind what was said a few days ago by Roy Wilkins, administrator for the NAACP. We have allies in more people than we realize, he said. We have allies in the young whites in colleges and universities over the country. We have allies in the teachers and the ministers in the more enlightened churches. We have allies in the merchants and business people. Then, most of all, we have allies in the veterans who know the hardships of warfare.

We will always have allies in those people who accept other fellow Americans on the basis of character and not color, as experiences have taught so many of us.

## South Commended On Race Relations

A Negro university official yesterday complimented the South on progress in race relations over the last 25 years.

"Not only has the South made progress," said Dr. Herman H. Long, director of the Race Relations Department of Fisk University, "but it has made much greater progress than any other section of the United States. Improvements in race relations have been accepted both by the intellectual leadership and by the intellectual leaders and by the masses."

As a consequence, Negroes no longer think of American society, he said, "as a hopeless pawn of outmoded tradition and custom."

In a speech before the Na-

tional Conference of Christians and Jews, at the Mayflower Hotel, Dr. Long gave evidence of progress. "Even the most sensitive areas of social taboo, as in the case of the abolition of racially segregated eating facilities on dining cars, have adjusted with speedy facilities," he noted. *Washington*

As the country approaches "the most momentous decision the Supreme Court will make in present times it seems increasingly clear," he said, "that the challenge is essentially a moral one."

In reply to a question Dr. Hunt predicted that this decision, on the school racial issue, would end segregation.

But reluctant communities, he added, can be counted on to reject the ruling until the

court has acted on "clarifying" suits. *11-10-53*

The school boards of such cities as Washington, Baltimore, Wilmington, Del., and St. Louis, "will feel immediate pressure to act," he said, "and will carry out the ruling promptly."

Last night the conference was addressed by George Meany, president of the American Federation of Labor, who reiterated the AFL pledge "that we will carry on an unrelenting fight against racial and religious intolerance and discrimination."

A big factor in this fight, he pointed out, "is that we have proved tolerance works."

An outstanding example, he said, "can be found right here in the Nation's capital. As you know, the entertainment unions of the AFL, under the leadership of the Actor's Equity Association, refused to play in what was then Washington's only legitimate theater while a segregation admission policy was enforced by the management."

"A long fight developed, but it was won in the end. Today, three legitimate theaters are operating in Washington, all on a non-segregated basis, and there hasn't been a single valid complaint yet."

The pressing need for the Western half of the world to close ranks ideologically was stressed by a morning speaker, Dr. Edmund W. Sinnott, dean of Yale University Graduate School.

"In its conflict with communism, Western civilization has one serious disadvantage," he said. The Communists are united in "godless materialism, but on our side of the iron curtain we are torn and divided among many faiths. We are an ideological rabble pitted against a united and disciplined foe."

The most urgent task of the West, he declared, "is to rally around the common standard of our splendid philosophical and religious heritage, build into it the enlightened concepts of the sciences, settle our internecine quarrels and present a solid front against materialism."

Asserting Western tradition "will never accept any philosophy that denies the authority of reason," Dr. Sinnott warned against "yielding to irrational superstition."

The fact that the conflict be-

tween religion and science can be solved is proved, he said, "by the hosts who have succeeded in building a life philosophy that brings together both their ancient faiths and the new insights of the sciences without sacrificing either intellectual integrity or spiritual values."



# Racial Lines Seen Fading In South

*Herald* 39  
Progress made by the South in adjusting race relations to a new industrial economy has been "remarkable," but the task isn't finished, the Dade County Council of Community Relations was told Tuesday night.

Dr. George Mitchell of Atlanta, educator, author and executive director of the Southern Regional Council on Community Relations, was main speaker at the local council's first membership drive kickoff dinner at the Colony Restaurant.

*Wed. 11-11-53*  
About 300 persons attended the dinner, representing the 60 civic groups and churches that founded the council early in 1952.

Dr. Mitchell named nine of the fields in which the South's progress has "reflected the growth of liberty for its colored population."

*p. 12 A*  
There has been, he declared, "a virtual end of segregation in transportation" an opening of college-level schools to Negroes; nine Southern cities have Negro city council members; seven southern counties have Negro school board members with Negroes on state boards of education in two states; "a tremendous improvement in rural housing and a good deal in urban" for Negroes, and "many signs that churches are bringing themselves to much more open practices."

The South's most difficult job—not yet finished—is to overcome the habits of thought left over from the old "plantation economy," Dr. Mitchell said.





Staff Photo—Hugh Stovall

**THEY LIKE SOUTH**—Four foreign observers—a Japanese, a German, a Norwegian and a Frenchman—visited in Atlanta with William Gordon, managing editor of The Atlanta Daily World. They reported they "are revising their ideas about the South." Gordon and the group attended the Harvard University International Seminar together this summer. From left to right here are Miss Tsuya Kakano, of Tokyo; Wolfgang Reiger, Bonn, Germany; Gordon; Joseph Chenu, Paris, France, and Eskild Jensen, Oslo, Norway.



# Ike's Landslide

## 31 Win Legislative Positions;

## Race Relations Make Progress

High Court Asked To Outlaw Jim-Crow Schools; Colonials Defy White Rulers

The political field really held the spotlight in 1952. Rumblings of "time for a change" which began early in the year, resulted in the drafting of General Eisenhower and Gov. Adlai Stevenson as candidates and ended Nov. 4 with the landslide election of Eisenhower.

Carried into office during the mammoth election were Representatives Adam Powell and William Dawson who were re-elected, and 31 colored legislators in various areas across the nation.

Included in the latter group were Julius Archibald who became New York's first colored state senator, and W. C. Erwin who was elected to the school board in Augusta, Ga., the first colored member since Reconstruction days.

Progress was made in education as the University of Tennessee agreed to admit colored applicants to its law and graduate schools; Talladega College became Alabama's first racially mixed educational institution; a U.S. District Court ordered Louisiana State University to open its doors to medical students;

### School Hearing

Chancellor Collins Seitz of Wilmington, Del., ordered white schools open to children of both races declaring that jim-crow schools are a violation of the 14th Amendment.

But the most momentous event was the arguments before the United States Supreme Court asking that body to rule that jim-crow schools violated the Constitution. States making their plea before the tribunal were Kansas, Delaware, South Carolina, Virginia and the District of Columbia.

### Race Relations

Race relations made progress and suffered some set backs. Marian Anderson sang before ra-



MARIAN ANDERSON

cially mixed audiences in Jacksonville and Miami, Fla., to set a precedent and colored and white official guests of Gov. Fuller Warren ate together in the Governor's mansion, breaking a 107-year-old taboo in Florida.

The Professional Golfers Association amended its rules so as to permit colored players to compete in tournaments it sponsors. Cassville, Wis., an all-white town, accepted a colored teacher with open arms and segregation in public-owned swimming pools were banned by a U.S. District Judge in Kansas City.

Race hate reared its ugly head as a white mob of 400 with bloodhounds tracked down and killed Robert Cobb, 38, in Columbia,

Miss., as he fled in his barefeet; in Los Angeles where the newly acquired home of Mr. and Mrs. William Bailey was blasted by white bigots;

In Yonders, N.Y., where Stanley Labensky, 49, a former policeman, killed two brothers, Wyatt, 35, and James Blacknall, 22, because he resented colored persons drinking in a white tavern, and in Brooklyn, N.Y., where a youth, 17, shot a young matron to death because he "hated colored people."



LENA HORNE

Lena Horne was among the 10 most exciting actresses chosen by stage and screen star James Mason.

### Job Picture Brightens

Inroads were made in employment as the Yellow Cab Company in Chicago began hiring colored cab drivers; bus and trolley drivers were hired in Baltimore; jobs of over 125 train porters were

saved by a Supreme Court Ruling and a U.S. Court ordered the Louisville and Nashville Railroad and Brotherhood of Locomotive Firemen and Engineers to stop discriminating against colored firemen.

This was a big year for churches as three of the larger denominations elected bishops, and the Methodist bishops made a bold bid to end its church's segregation but lost.

The AMEZ's at their 34th annual conference this summer elected four bishops, the Revs. Herbert B. Shaw, 44, Wilmington, N.C.; S. Gill Spottswood, 55, Washington, E. C. Pope and W. A. Stewart; the AME's in Chicago elected:

The Revs. Howard T. Primm, 50, New Orleans; Frederick Jordan, 50, Los Angeles, and E. C. Hatcher, 50, of Nashville and Philadelphia. In Philadelphia where the Central Jurisdiction of the Methodists met, the Revs. Edgar A. Love and Matthew W. Clair Jr., were selected to fill the posts of retiring Bishops A. P. Shaw and Edward Kelly.

In Sewanee, Tenn., eight of nine faculty members of the University of South School of Theology, resigned when the board of trustees ruled not to admit colored students; while in Pittsburgh, the Presbytery voted approval of the Rev. Virgil Moccia, white, as pastor of Bidwell st. Presbyterian Church.

Most prominent in the news was the unrest of the colonials in Africa who showed resentment over continued white oppression. In Kenya, (East Africa), tribesmen formed the Mau Mau who pledge to drive the white man from their country;

South Africans defied the jim-crow (apartheid) laws of Malan's government and were arrested in masses; Tunisians and Moroccans started uprisings because their demands for independence from France were ignored.

And the tribesmen from Tanganyika accused the British of making a 78,000 acre land grab. The United Nations agreed to study these problems.

COLUMBIA, S.C. — John McCray, militant editor of Lighthouse, and Informer, was jailed on a probation violation charge. This followed his defeat of Byrnes' plan to swing South Carolina to Ike.

PAUL ROBESON



Paul Robeson, famed singer, was one of eight persons chosen to receive the annual International Stalin Peace Award. The prize is worth approximately \$25,000.



# Dr. Reid Says Migrations Affect US Race Relations

New York (ANP).—Migrations of non-whites are affecting race relations in America, a noted sociologist told guests at the annual dinner of the National Urban League held in the Waldorf-Astoria hotel here last week.

Dr. Ira DeA. Reid, head of the department of sociology at Haverford (Pa.) college and a member of the NUL board, said the results of recent research show that "race relations are being seriously affected by the fact that the non-white population of American cities is becoming the hard core of the political cities." He attributed this to new migrations.

Dr. Reid pointed out that the 200 American cities with a 50,000 or more population have some 27 of them had more than 50,000 non-whites.

"This changing character of the population," he stated, "multiplies the need for municipal reforms, citizenship participation and social engineering."

Another speaker at the dinner was Lester B. Granger, executive director of the NUL, who delivered the keynote address. Granger made a report on his recent trip to India. Among other things, he said:

"The economic and political interests of the American people have been affected and the balance of international affairs has been changed by the movement of 360,000,000 people of India from a colonial status under British rule to a position of independence inspiring respect in the world community of nations."

Some 2,000 people representing a cross section of New York community leadership in business, labor, the professions and social work attended the dinner.

## Christian Solution To South's Problems Is Seen By Southern Interracial Leader

NEW YORK—(NC) — A new era of "liberty, understanding and mutual regard" is seen on the southern horizon by Paul D. Williams, past-president of the Southern Regional Council.

"Three ideas became dominant in the nineteenth century—liberty, industry and democracy," Mr. Williams said, in a talk before the Catholic Interracial Council here. "But instead of liberty, the South accepted slavery; instead of industry it chose plantation economy; instead of democracy it chose aristocracy."

Declaring that the South does not want to be an economic problem child," Williams said that the coming of new industry to the region has benefited the South and helped to create an economic balance between agriculture and industry.

ANOTHER progressive factor, he noted, is the willingness of the younger generation in the South to change from "old thinking." This attitude he said is necessary to change the institutions that "put the South behind the times" and to change the thinking that went into these institutions.

A founder of the Catholic Committee of the South, Mr. Williams said the organization is working on the problems of the Southland in five vital areas; race relations, rural life, industry, youth and education. "Each year sees an increased rallying to the Christian solution of the problems of the South," he said. He expressed confidence that the solutions to these problems would be found through the cooperation of white and Negro leaders in the South. "We know what's wrong and we are moving toward a more realistic New South," he said.

## Heroism Is Color Blind

A Passiac, N.J., white boy on his way to take swimming lessons was drowned in a rain-swollen brook trying to save a colored lad about his own age.

Over in Korea, a colored youngster from the backwoods of Louisiana stood off a whole detachment of Chinese Communists singlehanded. He saved his wounded colonel and several buddies from certain death.

These two incidents teach a lesson.

In dire need, heroes cross a color line without thinking.

It is ~~important~~ that there must be an emergency before the best examples of interracial life on a higher plane are brought to public attention.

# Interracial Associations No Bar To Loyalty--Dulles

NEW YORK, July 16—Association between white and colored persons is no "indication of disloyalty or of security risk," John Foster Dulles, Secretary of State, assures Walter White, executive secretary of the National Association for the Advancement of Colored People, in a letter made public here today.

Prompted by repeated stories that white employees and applicants for positions with the State Department and other governmental agencies have been questioned by federal investigators as to their association with Negroes, Mr. White wrote to the Secretary of State urging him to take steps "to forbid the asking of such questions in the future by State Department Security officers or any other representatives of government making inquiries with regard to loyalty."

In response, Mr. Dulles expressed "complete agreement" with Mr. White's views "that associations between Americans of different skin color should not be a factor in judging an employee's loyalty to the United States." Moreover, he said, "I am calling this matter to the attention of responsible officials concerned with the security of Department employees and I am advising them of my agreement with the sentiments expressed in your letter."

The State Department head said that he had questioned employees connected with the Department's Loyalty Security Board and had been assured by them that "to the best of their recollection, no employee of the Department has been asked in an interrogatory whether he associated with colored people nor has any employee been asked this question during a hearing before the board. Employees have been asked about possible association with individual colored people, as they have been about association with individual white persons when there is information that the association may have a bearing upon an employee's loyalty or security."

Mr. White has also written to J. Edgar Hoover of the Federal Bureau of Investigation asking that "another directive be issued to all FBI agents on this matter" in accordance with assurances given back in 1949 by Louis Nichols that FBI agents asking questions about interracial associations "were acting contrary to instructions."



## Fine Example Set In Race Relations

Atlanta again has supplied itself, the South, and the nation with a fine example of race relations and of common sense.

Last week saw some 30,000 members of the National Negro Elks lodge hold their annual five-day convention in Atlanta. Despite the efforts of the small, long-frustrated group possessing the Ku Klux mentality to stir up trouble by circulating falsehoods, there was not a single "incident."

There was just one arrest connected with the convention. A lone pickpocket, colored, was caught in the act of lifting a pocketbook and was pretty well shaken up by his intended victim. The thief was arrested. There was no evidence of public disorder or drunkenness. Police confirm the convention was one of the best-conducted in the city's history. The parade was viewed by as many white persons as colored. In fact, in some blocks Negro citizens had a difficult time finding room to witness their own parade, so heavy was the attendance by others. The parade was highly entertaining and enjoyable and was without an offensive moment.

The convention declared itself against the segregation laws, but obeyed the laws, which they announced would be continually contested in courts.

This is as it should be. As a people, we live and work within a framework of law. To do otherwise is to live by anarchy. The Elks themselves, recognizing this, praised the city and extended official thanks on adjournment.

We think the whole show was a tribute to the Elks and to the Atlanta citizens of both races. It demonstrates that where common sense and ordinary fair-minded attitudes are in force, there is no need for racial tensions or incidents. When 30,000 visitors, of whatever organization or race, can come to any city for five days, hold a convention and a parade and leave without a single report of disorder or incident, we believe there will be general agreement that all concerned should be congratulated. And we so do.

## Post Article By McGill Credits Racial Gains

A vivid picture of Atlanta and its surprising growth during the past decade is painted in the October 31st edition of the Saturday Evening Post by Atlanta Constitution Editor Ralph McGill, who places emphasis on two issues important to the development of the South as a social and economic power in the United States.

Editor McGill first makes it emphatically known that Atlanta has achieved surprising gains and is still rapidly moving forward in prominence under its five times victorious mayor, William Hartsfield.

### RACIAL TENSION

Secondly, the author asserts that Atlanta is an example of a South not generally accepted by the public in general, has a vote conscious Negro community which plays a vital part in the city's growth which says has a minimum of racial tension and is a place where agitators who would exploit "race tension" have found "the pickings lean."

The article is built around the campaigns of Mayor Hartsfield, and is titled, "You'd Think He Owns Atlanta." It takes a completely positive approach to the city's life in general, making special note of constructive aspects.

Mayor Hartsfield is described as a man born to one who came to Atlanta when it was growing out of "the ashes of Sherman's fires, and who married a woman who had seen the general march thru the state, but who knows his city so well that he openly fought Gov. Talmadge's plan for his county unit system."

### CREDIT FOR FOLLOWING

Furthermore, Mayor Hartsfield, president of the American Municipal Association, is given credit for the following:

1. Successfully handling the annual convention of the National Association for the Advancement of Colored People two years ago when it met in Atlanta.

To show what the city actually was faced with, Editor McGill says that the NAACP "is to the South's race issue extremists what acres of ragweed are to the highly allergic."

2. According Dr. Ralph Bunche with the extra honor of police escort from the airport when he

visited the city, Editor McGill says this was the first such city wide recognition "ever given a Negro in the South."

3. Building Atlanta into a community with good nation-wide credit, eliminating organized underworld activities, and turning a profit out of garbage disposal, all of which has turned the eyes of at least twenty other cities who are openly regarding it as the most workable approach to the advance of American cities.

The mayor has, Editor McGill says, acted in racial situations with "boldness and common sense," bringing to an end the agitation campaigns when they approached Atlanta with the alleged "view of stirring up racial upheaval."

McGill then points out that Mayor Hartsfield receives consistently a majority of votes from both Negro and white citizens with the support of substantial Negro business and professional men.

He further points out that Dr. Rufus Clement was elected to the board of education by a majority of Negro and white voters in a city wide election.

While Mayor Hartsfield takes pride in the city's history and is loved by the Daughters of the Confederacy "and other organizations devoted to keeping green the memory of the heroes in gray," he refrains from actually joining in these groups.

In the same vein he declares that the city's Negro business community is important. Here he cites the Negro bank, and describes the city's Negro paper as "a vigorous daily and Sunday newspaper, whose young managing editor, and editorial writer, William Gordon, is a former Nieman Fellow."

McGill further paints Atlanta as having about the same extent of voting apathy in both races, but

no organized control of voting power. However, he adds, candidate with an "avowed hostility to legitimate Negro aspirations or one with a fellow travelling Ku Klux Klan type backing gets precious few votes."

All in all the city is shown in a progressive light, and if non-progressive elements are omitted, the results may show that these tendencies have failed to actually overtake the feeling of pride that is possessed within the city limits of Atlanta as against the background of state progress.